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# ILLINOIS

## REGISTER RULES OF GOVERNMENTAL AGENCIES



Volume 24, Issue 40  
September 29, 2000

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# ILLINOIS REGISTER

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**EDITOR'S NOTE:** The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indices are as follows:

Issue 16 - April 14, 2000: Data Through March 31, 2000

Issue 29 - July 14, 2000: Data Through June 30, 2000

Issue 42 - October 13, 2000: Data Through September 30, 2000

Issue 3 - January 19, 2001: Data Through December 31, 2000 (Annual)



## INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

## REGISTER PUBLICATION SCHEDULE 2000

Issue #	Copy Due by 4:30 p.m.	Publication Date	Issue #	Copy Due by 4:30 p.m.	Publication Date
Issue 1	December 27, 1999	January 7, 2000	Issue 28	June 26	July 7
Issue 2	January 4, 2000*	January 14	Issue 29	July 3	July 14
Issue 3	January 10	January 21	Issue 30	July 10	July 21
Issue 4	January 18*	January 28	Issue 31	July 17	July 28
Issue 5	January 24	February 4	Issue 32	July 24	August 4
Issue 6	January 31	February 14**	Issue 33	July 31	August 11
Issue 7	February 7	February 18	Issue 34	August 7	August 18
Issue 8	February 14	February 25	Issue 35	August 14	August 25
Issue 9	February 22*	March 3	Issue 36	August 21	September 1
Issue 10	February 28	March 10	Issue 37	August 28	September 8
Issue 11	March 6	March 17	Issue 38	September 5*	September 15
Issue 12	March 13	March 24	Issue 39	September 11	September 22
Issue 13	March 15	March 26	Issue 40	September 18	September 29
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Issue 15	March 27	April 7	Issue 42	October 2	October 13
Issue 16	April 3	April 14	Issue 44	October 10*	October 20
Issue 17	April 10	April 21	Issue 43	October 16	October 27
Issue 18	April 17	April 28	Issue 44	October 23	November 3
Issue 19	April 24	May 5	Issue 45	October 30	November 13**
Issue 20	May 1	May 12	Issue 46	November 6	November 17
Issue 21	May 8	May 19	Issue 47	November 13	November 27**
Issue 22	May 15	May 26	Issue 48	November 20	December 1
Issue 23	May 22	June 2	Issue 49	November 27	December 8
Issue 24	May 30*	June 9	Issue 50	December 4	December 15
Issue 25	June 5	June 16	Issue 51	December 11	December 22
Issue 26	June 12	June 23	Issue 52	December 18	December 29
Issue 27	June 19	June 30	Issue 1	December 26*	January 5, 2001

\* Tuesday 12 noon deadline following a state holiday.

\*\* Monday publication date following a state holiday.

## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED REPEALER

1) Heading of the Part: Bonding Guidelines2) Code Citation: 71 Ill. Adm. Code 503) Section Numbers:

50.110 Proposed Action:  
Repealed  
50.120 Repealed

4) Statutory Authority: Implementing and authorized by Section 9.06 of the Capital Development Board Act [20 ILCS 3105/9.06].5) A. Complete Description of the Subjects and Issues Involved: This proposed repealer will be replaced by new proposed rules published in this issue of the Illinois Register.6) Will this proposed repealer replace an emergency rule current in effect?  
No7) Does this rulemaking contain an automatic repeal date? No8) Does this proposed repealer contain incorporation by reference? No9) Are there any other proposed repealers pending on this Part? No10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand the State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: From the date that this notice first appears in the Illinois Register, for a period of 45 days thereafter, interested persons may submit comments, in writing, to:

Fredrick W. Hahn, Chief Counsel  
Capital Development Board  
3rd Floor Wm. G. Stratton Bldg.  
Springfield, Illinois 62706  
217/782-0700

12) Initial Regulatory Flexibility Analysis:A) Types of small businesses, small municipalities and not for profit corporation affected: NoneB) Reporting, bookkeeping or other procedures required for compliance:  
NoneC) Types of professional skills necessary for compliance: None

## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED REPEALER

13) Regulatory Agenda on which this rulemaking was summarized: July 2000

The full text of the Proposed Repealer begins on the next page:

## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED REPEALER

## TITLE 71: PUBLIC BUILDINGS, FACILITIES, AND REAL PROPERTY

## CHAPTER 1: CAPITAL DEVELOPMENT BOARD

## SUBCHAPTER a: RULES

## PART 50

## BONDING GUIDELINES (REPEALED)

## Section

50.110 General Standards and Guidelines for the Appropriate Utilization of Bond Proceeds

50.120 Standardized Definitions and Specific Application of Bondability Guidelines

AUTHORITY: Implementing and authorized by Section 9.06 of the Capital Development Board Act (Ill. Rev. Stat. 1987, ch. 127, par. 779.6).

SOURCE: Adopted at 2 Ill. Reg. 30, p. 140, effective July 27, 1978; amended at 4 Ill. Reg. 9, p. 233, effective February 14, 1980; amended at 5 Ill. Reg. 1890, effective February 17, 1981; amended and codified at 8 Ill. Reg. 20247, effective October 1, 1984; amended at 12 Ill. Reg. 9845, effective May 27, 1988; repealed at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

### Section 50.110 General Standards and Guidelines for the Appropriate Utilization of Bond Proceeds

- a) General. The general uses of Capital Development, and School Construction Bond, General Obligation Bond and Build Illinois Bond proceeds appropriated to the Board shall always be and remain consistent with the provisions expressed in Article VIII, Section 1 and Article IX, Section 9 of the 1970 Constitution of the State of Illinois, and with the provisions of the Capital Development Bond Act of 1972 (Ill. Rev. Stat. 1987, ch. 127, pars. 751 et seq.), the School Construction Bond Act (Ill. Rev. Stat. 1987, ch. 122, pars. 1201 et seq.), General Obligation Bond Act (Ill. Rev. Stat. 1987, ch. 127, pars. 651 et seq.) and the Build Illinois Bond Act (Ill. Rev. Stat. 1987, ch. 127, pars. 2801 et seq.), as such Acts may now or hereafter be amended.
- b) Bondable Capital Improvements. Bondable capital improvements and related expenditure purposes generally include, but are not limited to, the following:
  - 1) Planning expenses for architectural and engineering design;
  - 2) Real property;
  - 3) Buildings, additions, and/or structures (including required site development or preparation and associated fixed equipment which is required for functional effectiveness);
  - 4) Utilities;
  - 5) Initial durable movable equipment as defined in Section

## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED REPEALER

## 50.120(f), Durable Movable Equipment;

## 6) Site improvements;

## 7) Remodeling and/or Rehabilitation;

## 8) Direct costs associated with the issuance of State General Obligation Bonds.

c) General Obligation Bond Proceeds. In general, any expenditure purpose shall be considered appropriate for financing from proceeds provided that such expenditure purposes:

- 1) are not recurring. In this context, recurring expenses are defined as those costs which are incurred at frequent or regular intervals within the initial term of financing, and which would cause pyramiding accumulation of costs for the same expenditure purpose before the expenses initially incurred for such purpose are completely amortized;
- 2) can be characterized as durable or not readily consumed in use;
- 3) reflect an extended useful life or longevity which confers long-term (non-transitory) benefits on the citizens of the State of Illinois;
- 4) are not subject to inherent risk of failure or rapid technological obsolescence, or primarily intended to fulfill temporary requirements;
- 5) reflect a direct interest of the State of Illinois, including its legally constituted subdivisions, in any real property to be improved, as evidenced by valid title to the real property on which the proposed improvement is to be made, or an easement of interest of record which at least encompasses the proposed term of bond financing;
- 6) appreciably increases, improves, or enhances the equitable interests of the State of Illinois in capital facilities, land, permanent improvements, and related assets;
- 7) are considered as internal components of a project, which if considered separately may not reflect an extended useful life, but will be bondable provided that such components are initially required and appreciably contribute to effective functioning, or are otherwise incapable of separation from a more complex unit which in itself is bondable.
- 8) All seven factors must be present in order for an expenditure purpose to be bondable.

d) Notwithstanding the above prescribed purposes, a nonconforming expenditure may yet be considered bondable if it is deemed to be in the public interest as evidenced by a substantive enactment of the General Assembly. Only Public Acts specifying a project shall be deemed a substantive enactment.

### Section 50.120 Standardized Definitions and Specific Application of Bondability Guidelines

The following standardized definitions and guidelines enumerate the appropriate



## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED REPEALER

utilization of and limitations applicable to the use of Capital Development, School Construction, General Obligation and Build Illinois Bond proceeds appropriated to the Board to finance various capital improvement projects and related expenditure purposes.

- a) Planning. Bondable planning costs include those expenditures which are related to architectural and engineering design required for planning the construction or installation of bondable capital improvement projects. Included are costs for schematic design development, which refers to preliminary studies developed from program statements that reflect the general functional characteristics and architectural requirements of a bondable capital improvement project; costs for definitive design development, which means the refinement of schematic design into final detailed design requirements; and costs incurred for the completion of construction documents and detailed working drawings required for bidding and construction, including any allowable reimbursables provided within an executed contract for professional and technical services. Expenditures for general long-range development plans, master plans, historical or archeological research, surveying, preliminary engineering studies, aerial mapping, feasibility studies, program or scope statements, or other expenditures similar in character shall not be bondable.

- b) Land. Land includes expenditures for the acquisition of real property (including easements of record with an extended term, but excluding any leasehold interests obtained through rental of real property), whether obtained by purchase of or by condemnation under the applicable Eminent Domain laws of the State of Illinois, and for all expenses directly and necessarily related to such purchase or condemnation. All necessary and reasonable expenses incurred in the acquisition of real property qualify for bond financing. Such expenditures may include the following:
  - 1) land costs
  - 2) appraisal fees
  - 3) title opinions
  - 4) surveying fees
  - 5) real estate fees
  - 6) title transfer taxes
  - 7) condemnation costs and related legal expenses
  - 8) relocation costs

- c) Buildings, Additions, and/or Structures. Buildings, additions and/or structures shall mean and include those facilities with a roof and/or walls that have a foundation. This category also includes site developments necessarily required or related to the preparation of a site for construction purposes; and required built-in, special-purpose, or other fixed equipment, which is permanently affixed or connected to real property in such a manner that removal would cause consequent damage to the real property to which it is affixed. All expenditures which may be classified within the category

## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED REPEALER

defined shall be bondable.

- d) Utilities. In general, the category utilities shall mean and include expenditures for the acquisition, construction, replacement, modernization, and/or extension of systems for distributing or disbursing utility services. Bondable utility costs may include, but are not limited to the following items:
  - 1) provisions for potable water, high-temperature water for sanitary or other related purposes, domestic hot or chilled water;
  - 2) systems and associated components for disbursing or distributing electricity or providing telecommunications service, including underground or overhead distribution cables for television, computers, or other modes of communication;
  - 3) steam and condensate returns;
  - 4) storm and/or sanitary sewers;
  - 5) fire hydrants and stand pipes;
  - 6) central fire and security alert systems;
  - 7) exterior lighting;
  - 8) tap-ons or extensions related to existing utility systems;
  - 9) automated temperature/environmental control systems, and air and water pollution control systems;
  - 10) provisions for the disposal of scientific contaminated waste and surgical waste;
  - 11) solar heating or other approved energy systems;
  - 12) sewage and water treatment facilities, equipment and related distribution systems;
  - 13) earth moving to create artificial lakes or reservoirs for utility or related conservation purposes;
  - 14) restoration of natural and/or man-made features of the site of any utilities installation to its original condition;
  - 15) trenches or ditches dug for the purpose of laying tile or providing ducts to remove excessive rainfall and prevent erosion.

- e) Site Improvements. Site improvements means and includes expenditures for all improvements to real property that are not otherwise included within the category of Buildings, Additions and/or Structures, subsection (c) above.

- 1) Bondable site improvement expenditures shall include all costs incidental to demolition, rough and final grading of a site, and the construction or replacement of sidewalks, road and driveway pavement surfaces, bridges, ramps, curbs, overpasses, underpasses, pedestrian bridges and tunnels, surface parking areas, campground development, building terraces, retaining walls, exterior lighting, and seeding or sodding for erosion control only if related to a bondable capital improvement project.
- 2) Expenditures for independent landscaping improvements which are not directly associated with a bondable capital improvement project shall not be bondable. In this context, seeding or sodding which is not primarily intended for erosion control in

## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED REPEALER

relation to a bondable capital improvement project shall not be bondable. Similarly, expenditures incurred for the planting of trees, shrubs, bushes, or other vegetation, including such vegetation, shall not be bondable improvements unless such expenses are directly and initially associated with or represent an integral component of a bondable capital improvement project.

## f) Durable Movable Equipment

1) Durable Movable Equipment shall mean initial movable equipment, including all items of initial equipment, other than built-in equipment, which are necessary and appropriate for the functioning of a particular facility for its specific purpose, and which will be used solely or primarily in the rooms or areas covered in the subject project. Further, such equipment is defined as manufactured items which have an extended useful life, are not affixed to a building and are capable of being moved or relocated from room to room or building to building, are not consumed in use, and have an identity and function which will not be lost through incorporation into a more complex unit.

2) In applying the above definition, reference should be made to "An Act in relation to State finance" (Ill. Rev. Stat. 1987, ch. 127, pars. 136.1 et seq.), and the distinction between Commodities (paragraph 151 (b)) and Equipment (paragraph 156) as defined by that Act. Within the context of that Act, the following guidelines should be applied in defining Durable Movable Equipment:

- A) No commodities will be purchased from Bond funds.
- B) Office/household equipment and furniture will be bondable.
- C) Machinery, implements and major tools will be bondable.
- D) Scientific instruments and apparatus will be bondable with the exception of those items which are subject to short useful life, such as, glassware, tubing, crockery and light bulbs. These items are more correctly defined as commodities.
- E) Library books, maps, and paintings other than those purchased in the Art in Architecture program (Ill. Rev. Stat. 1987, ch. 127, par. 738.01) are not fundable from Bond funds.
- F) Livestock, for any use, is not fundable from Bond funds.
- G) Rolling stock, including boats and allied equipment, is not fundable from Bond funds.
- H) Equipment not otherwise classified will be considered bondable provided it meets all other guidelines.
- I) Significant useful life should be considered a minimum of 10 years.
- J) Spare and replacement parts should be considered commodities.
- K) Transportation and installation costs incurred with an outside source will be considered part of the equipment cost

## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED REPEALER

for items funded by the Board.

## g) Remodeling and Rehabilitation

1) Bondable Remodeling and Rehabilitation means and includes expenditures for all capital improvements which have the primary objective of altering the functional capabilities of a structure or facility.

2) Remodeling shall include all capital improvement projects which have the primary objective of changing the functional character of areas, modifying capacity for the number of persons who can be accommodated by the area for purposes of the currently assigned programmatic function, and/or altering spatial relationships provided by the area for purposes of the currently assigned programmatic function.

3) Rehabilitation shall include all non-recurring capital improvement expenditures having the primary purpose of restoring or upgrading an existing area to original operating condition. Recurring expenditures for repairs and/or maintenance which are predictable or reflect regular attention in preserving or keeping a facility in ordinarily efficient operating condition or arresting deterioration without appreciably upgrading, improving, or increasing the value of a facility, shall be considered non-bondable repair and maintenance expenditures.

h) Direct Costs Associated with the Issuance of State General Obligation Bonds. Costs of this nature shall include expenses associated with advertising, printing, bond rating, security, delivery, legal and financial services, and all other expenses necessary and incident to the issuance of State General Obligation Bonds.

## i) Limitations Applicable to Other Expenditure Purposes

The following expenditure purposes shall not be bondable:

- 1) operational and administrative expenses, such as compensation costs, travel, commodities, non-initial equipment, or other recurring expenditures which are similar in character;
- 2) expenditures for leasing or rental of equipment and/or facilities;
- 3) archeological digs, research, or exploration;
- 4) expenditures, pursuant to Capital Development Board Resolution 75-17 adopted on July 11, 1975, "to reimburse agencies of the State for costs of staff labor and material which are already provided for through the operating budget of the agency";
- 5) expenditures to acquire or construct temporary facilities or for facilities whose abandonment or replacement is imminent;
- 6) unpredictable or unusual legal expenses (other than acquisition legal expenses), such as for special litigation, which are not ordinarily or customarily provided within the budget for a capital improvement project. Such expenditures are more appropriately financed from contractual services operating funds appropriated for such purposes;
- 7) separate purchases of sand, gravel, rock, asphalt and concrete in

## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED REPEALER

limited quantities; ordinary hardware items; temporary, nondurable fencing; spare and/or replacement parts and equipment; hand tools; decorative models, plaques and other commemorative memorabilia; and other commodity-type consumable items having a relatively brief expected useful life.

- j) Bondable Expenditures Based on Expected Useful Life Equal to Term of Bond Financing

The following expenditure purposes shall be bondable only if such purposes demonstrate an expected useful life based upon engineering studies, supporting technical data, or relevant precedents under similar circumstances, which is at least equal to the term of bond financing:

- 1) purchase or installation of riprap, metal pilings, or similar materials for the purpose of erosion and/or flood control; provided that the impact of the proposed expenditure is to improve rather than maintain such areas;
- 2) expenses directly related to dredging, levee, drainage, channel and/or lake improvements;
- 3) rehabilitation of existing road and parking area surfaces;
- 4) costs incurred in the acquisition or purchase of historical, antique or period furnishings of value, provided that such items are directly associated with a new capital improvement project and considered essential to the primary purpose of such projects and acquisition of the furnishings is pursuant to the mandate of the appropriation for the project, and further provided that such items will be subject to adequate security and protection and accepted property control accountability.

## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Bonding Guidelines

- 2) Code Citation: 71 Ill. Adm. Code 50

- 3) Section Numbers:  
     50.110           Proposed Action:  
     50.120           New Section  
     50.130           New Section

- 4) Statutory Authority: Implementing and authorized by Section 9.06 of the Capital Development Board Act [20 ILCS 3105/9.06].

- 5) A Complete Description of the Subjects and Issues Involved: Replaces bonding guidelines rules being repealed. The new proposed rule updates the statutory provisions and reformatting for clarification.

- 6) Will this proposed rule replace an emergency rule current in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed rule contain incorporation by reference? No

- 9) Are there any other proposed rules pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This proposed rule does not create or expand the State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: From the date that this notice first appears in the Illinois Register, for a period of 45 days thereafter, interested persons may submit comments, in writing, to:

Fredrick W. Hahn, Chief Counsel  
 Capital Development Board  
 3rd Floor Wm. G. Stratton Bldg.  
 Springfield, Illinois 62706  
 217/782-0700

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporation affected: None

- B) Reporting, bookkeeping or other procedures required for compliance: None

- C) Types of professional skills necessary for compliance: None



## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED RULES

13) Regulatory Agenda on which this rulemaking was summarized: July 2000

The full text of the Proposed Rules begins on the next page:

## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED RULES

TITLE 71: PUBLIC BUILDINGS, FACILITIES, AND REAL PROPERTY

CHAPTER I: CAPITAL DEVELOPMENT BOARD

SUBCHAPTER a: RULES

## PART 50

## BONDING GUIDELINES

## Section

- 50.110 General Standards and Guidelines for the Appropriate Utilization of Bond Proceeds
- 50.120 Standardized Definitions and Guidelines
- 50.130 Limitations on Expenditures of Bond Proceeds

**AUTHORITY:** Implementing and authorized by Section 9.06 of the Capital Development Board Act [20 ILCS 3105/9.06].

**SOURCE:** Adopted at 2 Ill. Reg. 30, P. 140, effective July 27, 1978; amended at 4 Ill. Reg. 9, P. 233, effective February 14, 1980; amended at 5 Ill. Reg. 1890, effective February 17, 1981; amended and codified at 8 Ill. Reg. 20247, effective October 1, 1984; amended at 12 Ill. Reg. 9845, effective May 27, 1988; old Part repealed and new Part adopted at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 50.110 General Standards and Guidelines for the Appropriate Utilization of Bond Proceeds**

- a) General. The general uses of Capital Development Bond, School Construction Bond, General Obligation Bond and Build Illinois Bond proceeds appropriated to the Board shall always be and remain consistent with the provisions expressed in Article VIII, Section 1 and Article IX, Section 9 of the 1970 Constitution of the State of Illinois, and with the provisions of the Capital Development Bond Act of 1972 [30 ILCS 420], the School Construction Bond Act [30 ILCS 390], General Obligation Bond Act [30 ILCS 330] and the Build Illinois Bond Act [30 ILCS 425].
- b) Bondable Capital Improvements. Bondable capital improvements and related expenditure purposes generally include, but are not limited to, the following:
- 1) Planning expenses for architectural and engineering design;
  - 2) Real property;
  - 3) Buildings, additions, and/or structures (including required site development or preparation and associated fixed equipment that is required for functional effectiveness);
  - 4) Utilities;
  - 5) Initial durable movable equipment as defined in Section 50.120(e), Durable Movable Equipment;
  - 6) Site improvements;

## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED RULES

- 7) Remodeling and/or Rehabilitation;  
 8) Direct costs associated with the issuance of State General Obligation Bonds.

## c) General Obligation Bond Proceeds.

- 1) In general, any expenditure purpose shall be considered appropriate for financing from proceeds provided that such expenditure purposes:

- A) are not recurring. In this context, recurring expenses are defined as those costs that are incurred at frequent or regular intervals within the initial term of financing, and that would cause pyramiding accumulation of costs for the same expenditure purpose before the expenses initially incurred for such purpose are completely amortized;  
 B) can be characterized as durable or not readily consumed in use;

- C) reflect an extended useful life or longevity that confers long-term (non-transitory) benefits on the citizens of the State of Illinois;

- D) are not subject to inherent risk of failure or rapid technological obsolescence, or primarily intended to fulfill temporary requirements;

- E) reflect a direct interest of the State of Illinois, including its legally constituted subdivisions, in any real property to be improved, as evidenced by valid title to the real property on which the proposed improvement is to be made, or an easement interest of record that at least encompasses the proposed term of bond financing;

- F) appreciably increase, improve, or enhance the equitable interests of the State of Illinois in capital facilities, land, permanent improvements, and related assets;

- G) are considered as internal components of a project, which if considered separately may not reflect an extended useful life, but will be bondable provided that such components are initially required for and appreciably contribute to effective functioning, or are otherwise incapable of separation from a more complex unit that in itself is bondable.

- 2) All seven factors must be present in order for an expenditure purpose to be bondable;

- 3) Notwithstanding the above prescribed purposes, a nonconforming expenditure may yet be considered bondable if it is deemed to be in the public interest as evidenced by a substantive enactment of the General Assembly. Only Public Acts specifying a project shall be deemed a substantive enactment.

## Section 50.120 Standardized Definitions and Guidelines

The following standardized definitions and guidelines enumerate the appropriate

## CAPITAL DEVELOPMENT BOARD

## NOTICE OF PROPOSED RULES

utilization of Capital Development, School Construction, General Obligation and Build Illinois Bond proceeds appropriated to the Board to finance bondable capital improvements as listed in Section 50.110(b) above.

- a) Planning. Bondable planning costs include those expenditures that are related to architectural and engineering design required for planning the construction or installation of bondable capital improvement projects. Included are costs for schematic design development, which refers to preliminary studies developed from program statements that reflect the general functional characteristics and architectural requirements of a bondable capital improvement project; costs for definitive design development, which means the refinement of schematic design into final detailed design requirements; and costs incurred for the completion of construction documents and detailed working drawings required for bidding and construction, including any allowable reimburseables provided within an executed contract for professional and technical services.

- b) Land. Land includes expenditures for the acquisition of real property (including easements of record with an extended term, but excluding any leasehold interests obtained through rental of real property), whether obtained by purchase or by condemnation under the applicable eminent domain laws of the State of Illinois, and for all expenses directly and necessarily related to such purchase or condemnation. All necessary and reasonable expenses incurred in the acquisition of real property qualify for bond financing. Such expenditures may include but are not limited to the following:

- 1) land costs
- 2) appraisal fees
- 3) title opinions
- 4) surveying fees
- 5) real estate fees
- 6) title transfer taxes
- 7) condemnation costs and related legal expenses.

- c) Buildings, Additions, and/or Structures. Buildings, additions and/or structures shall mean and include those facilities with a roof and/or walls that have a foundation. This category also includes site developments necessarily required or related to the preparation of a site for construction purposes and required built-in, special-purpose, or other fixed equipment, which is permanently affixed or connected to real property in such a manner that removal would cause consequent damage to the real property to which it is affixed. All expenditures that may be classified within the category defined shall be bondable.

- d) Utilities. In general, the category utilities shall mean and include expenditures for the acquisition, construction, replacement, modernization, and/or extension of systems for distributing or disbursing utility services. Bondable utility costs may include but are not limited to the following items:

- 1) provisions for potable water, high-temperature water for sanitary

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- or other related purposes, domestic hot or chilled water;
- 2) systems and associated components for disbursing or distributing electricity or providing telecommunications service, including underground or overhead distribution cables for television, computers, or other modes of communication;
  - 3) steam and condensate returns;
  - 4) storm and/or sanitary sewers;
  - 5) fire hydrants and stand pipes;
  - 6) central fire and security alert systems;
  - 7) exterior lighting;
  - 8) tap-ons or extensions related to existing utility systems;
  - 9) automated temperature/environmental control systems, and air and water pollution control systems;
  - 10) provisions for the disposal of scientific contaminated waste and surgical waste;
  - 11) solar heating or other approved energy systems;
  - 12) sewage and water treatment facilities, equipment and related distribution systems;
  - 13) earth moving to create artificial lakes or reservoirs for utility or related conservation purposes;
  - 14) restoration of natural and/or man-made features of the site of any utilities installation to its original condition;
  - 15) trenches or ditches dug for the purpose of laying tile or providing ducts to remove excessive rainfall and prevent erosion.

- e) Durable movable equipment
- 1) Durable movable equipment shall mean initial movable equipment, including all items of initial equipment, other than built-in equipment, that are necessary and appropriate for the functioning of a particular facility for its specific purpose, and that will be used solely or primarily in the rooms or areas covered in the subject project. Further, such equipment is defined as manufactured items that have an extended useful life, are not affixed to a building and are capable of being moved or relocated from room to room or building to building, are not consumed in use, and have an identity and function that will not be lost through incorporation into a more complex unit.
  - 2) In applying the above definition, reference should be made to the State Finance Act [30 ILCS 105], and the distinction between commodities (Section 15b of that Act) and equipment (Section 20) as defined by that Act. Within the context of that Act, the following guidelines should be applied in defining durable movable equipment:
    - A) Bondable
      - i) Office/household equipment and furniture will be bondable.
      - ii) Machinery, implements and major tools will be bondable.
      - iii) Scientific instruments and apparatus will be bondable

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- when they have a useful life similar to office equipment.
- iv) Transportation and installation costs incurred with an outside source will be considered part of the equipment cost for items funded by the Board.
  - v) Equipment not otherwise classified will be considered bondable provided it meets all other guidelines.
  - vi) Significant useful life should be considered a minimum of 10 years.
- B) Non-bondable
- i) Scientific apparatus items that are subject to short useful life, such as glassware, tubing, crockery and light bulbs are not bondable. These items are more correctly defined as commodities.
  - ii) Library books, maps, and paintings other than those purchased in the Art in Architecture program [20 ILCS 3105/14] are not fundable from bond funds.
  - iii) Livestock, for any use, is not fundable from bond funds.
  - iv) Rolling stock, including boats, cars, trucks and related items, are not fundable from bond funds.
  - v) Spare and replacement parts should be considered commodities.
  - vi) No commodities shall be purchased from bond funds.
- f) Site Improvements. Site improvements means and includes expenditures for all improvements to real property that are not otherwise included within the category of buildings, additions and/or structures (subsection (c) of this Section). Bondable site improvement expenditures shall include all above costs incidental to demolition, rough and final grading of a site, and the construction or replacement of sidewalks, road and driveway pavement surfaces, bridges, ramps, curbs, overpasses, underpasses, pedestrian bridges and tunnels, surface parking areas, campground development, building terraces, retaining walls, exterior lighting, and seeding or sodding for erosion control only if related to a bondable capital improvement project.
- g) Remodeling and Rehabilitation
- 1) Bondable remodeling and rehabilitation means and includes expenditures for all capital improvements that have the primary objective of altering the functional capabilities of a structure or facility.
  - 2) Remodeling shall include all capital improvement projects that have the primary objective of changing the functional character of areas, modifying capacity for the number of persons who can be accommodated, and/or altering spatial relationships provided.
  - 3) Rehabilitation shall include all non-recurring capital improvement expenditures having the primary purpose of restoring or upgrading an existing area to original operating condition. Recurring expenditures for repairs and/or maintenance that are



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predictable or reflect regular attention in preserving or keeping a facility in ordinarily efficient operating condition or arresting deterioration without appreciably upgrading, improving, or increasing the value of a facility, shall be considered non-bondable repair and maintenance expenditures.

- h) Direct Costs Associated with the Issuance of State General Obligation Bonds. Costs of this nature shall include expenses associated with advertising, printing, bond rating, security, delivery, legal and financial services, and all other expenses necessary and incident to the issuance of State General Obligation Bonds.

**Section 50.130 Limitations on Expenditures of Bond Proceeds**

- a) The following expenditure purposes shall not be bondable:
- 1) operational and administrative expenses, such as compensation costs, travel, commodities, non-initial equipment, or other recurring expenditures that are similar in character;
  - 2) expenditures for leasing or rental of equipment and/or facilities;
  - 3) archeological digs, research, or exploration;
  - 4) expenditures for routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property that would typically be covered by operation and maintenance funds of the user agency and for reimbursement of user agencies for administration, staff, or other costs;
  - 5) expenditures to acquire or construct temporary facilities or facilities whose abandonment or replacement is imminent;
  - 6) unpredictable or unusual legal expenses (other than land acquisition legal expenses), such as for special litigation, that are not ordinarily or customarily provided within the budget for a capital improvement project. These expenditures are more appropriately financed from contractual services operating funds appropriated for such purposes;
  - 7) separate purchases of sand, gravel, rock, asphalt and concrete in limited quantities; ordinary hardware items; temporary, nondurable fencing; spare and/or replacement parts and equipment; hand tools; decorative models, plaques and other commemorative memorabilia; and other commodity-type consumable items having a relatively brief expected useful life;
  - 8) expenditures for general long-range development plans, master plans, historical or archeological research, surveying, preliminary engineering studies, aerial mapping, feasibility studies, program or scope statements, or other expenditures similar in character;
  - 9) expenditures for independent landscaping improvements that are not directly associated with a bondable capital improvement project. In this context, seeding or sodding that is not primarily intended for erosion control in relation to a bondable

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capital improvement project shall not be bondable. Similarly, expenditures incurred for the planting of trees, shrubs, bushes, or other vegetation, including revegetation, shall not be bondable improvements unless the expenses are directly and initially associated with or represent an integral component of a bondable capital improvement project.

- b) The following expenditure purposes shall be bondable only if those purposes demonstrate an expected useful life, based upon engineering studies, supporting technical data, or relevant precedents under similar circumstances, that is at least equal to the term of bond financing:

- 1) purchase or installation of metal pilings or similar materials (but not tiprap) for the purpose of erosion and/or flood control, provided that the impact of the proposed expenditure is to improve rather than maintain such areas;
- 2) expenses directly related to dredging, levee, drainage, channel and/or lake improvements;
- 3) rehabilitation of existing road and parking area surfaces;
- 4) costs incurred in the acquisition or purchase of historical, antique or period furnishings of value, provided that the items are directly associated with a new capital improvement project and considered essential to the primary purpose of such project and acquisition of the furnishings is pursuant to the mandate of the appropriation for the project, and further provided that the items will be subject to adequate security and protection and accepted property control accountability.

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1) Heading of the Part: Licensing Standards for Day Care Homes

2) Code Citation: 89 III. Adm. Code 406

3) Section Numbers: Proposed Actions

406.2 Amend  
406.4 Amend  
406.5 Amend  
406.6 Amend  
406.7 Amend  
406.8 Amend  
406.9 Amend  
406.10 Amend  
406.13 Amend  
406.14 Amend  
406.15 Amend  
406.17 Amend  
406.18 Amend  
406.22 Amend  
406.23 Amend  
406.24 Amend

4) Statutory Authority: Child Care Act of 1969 [225 ILCS 10].

5) A Complete Description of the Subjects and Issues Involved: The Department is amending Part 406, Licensing Standards for Day Care Homes, as follows:

406.2 - Definitions - Definitions were added for "applicant", "cot", "CANTS", "disinfect" and "family home" or "family residence".

406.4 - Language was added to clarify what constitutes a complete application for license.

406.5 - Changes were made to be consistent with the Illinois Administrative Procedure Act [5 ILCS 100/10-65] regarding timely and sufficient application for renewal of license.

406.6 - Language was added to clarify that the licensees must reside in the family home and shall be an individual, a man and woman married to each other or two persons related by blood, marriage, or adoption.

406.7 - Language was added to require the applicant to have passed the background check; to be certified in the Heimlich maneuver, first aid, and infant/child cardiopulmonary resuscitation; and to submit the required medical report to the Department before the permit will be issued.

406.8 - Several items were added or changed to increase safety in the day care home:

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Items required in the first aid kit were increased to include scissors, syrup of ipecac, thermometer, and non-permeable gloves.

Facilities that use a wood-burning stove or fireplace must provide a written plan of how it will be used and what actions will be taken to ensure the children's safety when in use.

The list of hazardous items that must be inaccessible to children has been expanded.

The height of the fence required around swimming pools has been increased from 3 1/2 feet to 5 feet.

Hot tubs are required to have locking covers or otherwise be inaccessible to children.

Additional restrictions have been added to the use of chemicals for insect and rodent control.

Monkeys, ferrets, turtles, iguanas, birds of the parrot family or any wild or dangerous animal are prohibited in areas accessible to children.

Safety requirements have been added for outdoor play equipment.

The use of trampolines by children in care is prohibited.

A clarification was added to require covered electrical outlets when children are less than five years of age.

When children under 30 months of age are in care, stairs are to be fitted with gates or doors.

406.9 - Caregivers will be required to complete 15 clock hours of continuing education per year in matters related to child care/child development. Language was also added to clarify that the licensee who is the primary caregiver must be certified in first-aid, the Heimlich maneuver and infant/child cardiopulmonary resuscitation.

406.10 - Language was added to require that assistants transporting children shall have a valid drivers license for the vehicle classification being used.

406.13 - A new care grouping was added to allow a caregiver to provide care for up to eight children when no more than six children are under the age of five, of which up to two children may be under 30 months of age. Language was also added to clarify that the 12 children under twelve years of age is the maximum number of children allowed in the home.

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406.14 - Language was added to allow a physician to determine whether a tuberculin skin test is necessary. Also, language was added to clarify that lead poisoning screening or assessment is only required for children from one to six years of age. The requirement that there be at least two feet of space on all sides between beds, cribs or cots was added.

406.15 - Language was added to restrict a child's removal from the group to one minute per year of age and to prohibit removal of children less than 24 months of age.

406.17 - Children under age two are to be served whole milk unless a physician has requested low-fat milk. Restrictions were placed on serving foods that may cause choking. Also, language was added to allow, at the provider's discretion, that food for a child may be brought from home.

406.18 - Language was added to require that persons transporting children have a valid driver's license for the vehicle classification being used.

406.22 - Language was added to clarify that infants are to be held during feedings and to prohibit warming bottles in a microwave. The germicidal solution was changed to conform to recommendations of the Centers for Disease Control and Prevention. The requirement for mobiles in cribs was removed due to danger of entanglement. Language was added to prohibit walkers.

406.23 - Requirements were added for sleeping arrangements during the provision of night care, and lighting requirements were added to illuminate hallways leading to stairs and/or the restroom.

406.24 - Required immunization for hepatitis B has been added. Requirements for tuberculin skin tests have been changed to allow a physician to determine if the test is necessary and to require the test to be repeated when a child enters elementary and secondary school.

Other grammar and style changes have also been made.

6) Will this proposed amendment replace an emergency amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
406.16	Amend	3/31/00, 24 Ill Reg. 5058

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10) Statement of Statewide Policy Objectives: This rulemaking neither creates nor expands a State mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. Comments should be submitted to:

Jeff E. Osowski  
Office of Child and Family Policy  
Department of Children and Family Services  
406 E. Monroe, Station #65  
Springfield, Illinois 62703-1498  
Telephone: (217) 524-1983  
TDD: (217) 524-3715  
E-Mail: cfpolicy@idcfs.state.il.us

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

Public hearings have been scheduled on these proposed amendments in the following areas. Persons are asked to limit their testimony to ten minutes per person. If translation or interpretation services are needed to enable participation in the public hearings, please contact the Office of Child and Family Policy as indicated above. Public hearings are scheduled as follows:

Rockford	Bloomington
October 21, 2000	September 30, 2000
1:00 PM - 3:00 PM	10:00 AM - 12:30 PM
YMCA Conference Room	Indian Lakes Resort
4900 East State Street	250 West Schick Road
Rockford, IL	Bloomington, IL
	(Special Session at the Annual
	Professional Family Child Care
	Providers Conference)

Springfield	Champaign
October 28, 2000	October 28, 2000
10:00 AM - Noon	3:00 PM - 5:00 PM
DCFS Conference Room	Public Library Auditorium
521 South 11th Street	505 South Randolph Street
Springfield IL	Champaign IL
Ina	Joliet
October 14, 2000	October 7, 2000
2:00 PM - 4:00 PM	1:00 PM - 3:00 PM

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Reid Lake College Student Center  
468 N. Ren Gray Parkway  
Ina, IL  
Joliet, IL

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: This rulemaking affects day care homes licensed by the Department
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: The need for this rulemaking was not foreseen at that time.

The full text of the Proposed Amendments begins on the next page.

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TITLE 89: SOCIAL SERVICES  
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

## PART 406

## LICENSING STANDARDS FOR DAY CARE HOMES

Section	Purpose
406.1	Definitions
406.2	Effective Date of Standards (Repealed)
406.3	Application for License
406.4	Provisions Pertaining to the License
406.5	Provisions Pertaining to Permits
406.6	General Requirements for Day Care Homes
406.7	Characteristics and Qualifications of the Day Care Family
406.8	Qualifications for Assistants
406.9	Substitutes
406.10	Admission and Discharge Procedures
406.11	Number and Ages of Children Served
406.12	Health and Medical Care
406.13	Discipline of Children
406.14	Activity Requirements
406.15	Nutrition and Meals
406.16	Transportation of Children By Day Care Home
406.17	Swimming
406.18	Children with Special Needs
406.19	School Age Children
406.20	Children Under 30 Months of Age
406.21	Night Care
406.22	Records and Reports
406.23	Confidentiality of Records and Information
406.24	Cooperation with the Department
406.25	Severability of This Part
406.26	
406.27	

APPENDIX A	Meal Pattern Chart for Children 0 to 12 Months of Age
APPENDIX B	Meal Pattern Chart for Children Over One Year of Age
APPENDIX C	Background of Abuse, Neglect, or Criminal History Which May Prevent Licensure or Employment in a Day Care Home

AUTHORITY: Implementing and authorized by the Child Care Act of 1969 [225 ILCS 101, Section 3 of the Abused and Neglected Child Reporting Act [325 ILCS 5/3], and Sections 1 and 2 of the Facilities Requiring Smoke Detectors Act [425 ILCS 10/1 and 2].

SOURCE: Adopted and codified at 7 Ill. Reg. 7855, effective July 1, 1983; amended at 8 Ill. Reg. 24951, effective January 1, 1985; amended at 9 Ill. Reg.



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2454, effective March 1, 1995; emergency amendment at 15 Ill. Reg. 15098, effective October 8, 1991, for a maximum of 150 days; modified at 16 Ill. Reg. 2269; amended at 16 Ill. Reg. 7602, effective April 30, 1994; amended at 18 Ill. Reg. 5531, effective April 1, 1994; amended at 19 Ill. Reg. 2765, effective February 23, 1995; amended at 21 Ill. Reg. 4524, effective April 1, 1997; amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 406.2 Definitions

"Access to children" means an employee's job duties require that the employee be present in a licensed child care facility during the hours that children are present in the facility. In addition, any person who is permitted to be alone outside the visual or auditory supervision of facility staff with children receiving care in a licensed child care facility is subject to the background check requirements of this Part.

"Adult" means any person who is 18 years of age or older.

"Applicant" means a person living in the residence to be licensed who will be the primary caregiver in the day care home.

"Approved smoke detector" or "detector" means a smoke detector of the ionization or photoelectric type which complies with all the requirements of the rules and regulations of the Illinois State Fire Marshal. (Section 2 of the Facilities Requiring Smoke Detectors Act [425 ILCS 10/2])

"Assistant" or "child care assistant" means a person (whether a volunteer or an employee) who assists a licensed home caregiver in the operation of the day care home.

"Attendance" means the total number of children under the age of 12 present at any one time.

"Authorized representative of the Department" means the licensing representative or any person acting on behalf of the Director of the Department.

"Background check" means:

- a criminal history check via fingerprints of persons age 18 and over that which are submitted to the Illinois State Police and the Federal Bureau of Investigation (FBI) for comparison to their criminal history records, as appropriate, or via a NEABS-check-of persons-age-13-through-17; and
- a check of the Child Abuse and Neglect Tracking System (CANTS)

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and other state child protection systems, as appropriate, to determine whether an individual is currently alleged or has been indicated as a perpetrator of child abuse or neglect; and

- a check of the Statewide Child Sex Offender Registry.

"CANTS" means the Child Abuse and Neglect Tracking System operated and maintained by the Department.

"Caregiver" means the individual directly responsible for child care.

"Children with special needs" means children who exhibit one or more of the following characteristics, which--is confirmed by clinical evaluation:

Visual impairment: the child's visual impairment is such that development to full potential without special services cannot be achieved.

Hearing impairment: the child's residual hearing is not sufficient to enable him or her to understand understanding the spoken word and to develop language, thus causing extreme deprivation in learning and communication, or a hearing loss is exhibited that which prevents full awareness of environmental sounds and spoken language, limiting normal language acquisition and learning.

Physical or health impairment: the child exhibits a physical or health impairment that which requires adaptation of the physical plant.

Speech and/or language impairment: the child exhibits deviations of speech and/or language processes that which are outside the range of acceptable variation within a given environment and which prevent full social development.

Learning disability: the child exhibits one or more deficits in the essential processes of perception, conceptualization, language, memory, attention, impulse control or motor function.

Behavioral disability: the child exhibits an effective disability and/or maladaptive behavior that which significantly interferes with learning and/or social functioning.

Mental impairment: the child's intellectual development, mental capacity, and/or adaptive behavior are markedly delayed. Such mental impairment may be mild, moderate, severe or profound.

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"Consultants" means those individuals providing technical assistance or advice regarding any aspect of the operation of the day care home.

"Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. (Section 2-5 of the Criminal Code of 1961 [720 ILCS 5/2-5])

"Cot" means a comfortable, safe and child-sized alternative bed made of resilient, fire retardant, sanitizable fabric that is on legs or otherwise above the floor and can be stored to allow for air flow.

"Day care homes" means family homes which receive more than 3 up to a maximum of 12 children for less than 24 hours per day. The maximum of 12 children includes the family's natural, foster, or adopted children and all other persons under the age of 12. The term does not include facilities which receive only children from a single household. (Section 2.18 of the Child Care Act of 1969 [225 ILCS 10/2.18])

"Department" means the Illinois Department of Children and Family Services. (Section 2.02 of the Child Care Act of 1969)

"Discipline" means the process of helping children to develop inner controls so that they can manage their own behavior in socially acceptable ways.

"Disinfect" means to eliminate virtually all germs from inanimate surfaces through the use of chemicals or physical agents (e.g., heat). In the child care environment, a solution of 1/4 cup household liquid chlorine bleach added to one gallon of water for one tablespoon bleach to one quart water) and prepared fresh daily is an effective disinfectant for environmental surfaces and other objects.

"Family home" or "family residence" means the location or portion of a location where the applicant and his or her family reside. It does not include other structures that are separate from the home but may be considered part of the overall premises, such as adjacent apartments, unattached garages, and other unattached buildings.

"Grade-level" means not more than 4 feet above or 4 feet below ground level.

"Ground level" means that a child can step directly from the exit onto the ground, a sidewalk, a patio, or any surface that is not above or below the ground.

"Guardian" means the guardian of the person of a minor. (Section 2.03

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of the Child Care Act of 1969 [225 ILCS 10/2.03])

"Initial background check" means fingerprints have been obtained for a criminal history check, and the individual has cleared a check of the Child Abuse and Neglect Tracking System and the Statewide Child Sex Offender Registry.

"License" means a document issued by the Department that which authorizes child care facilities to operate in accordance with applicable standards and the provisions of the Child Care Act of 1969.

"License applicant", for purposes of background checks, means the operator or persons with direct responsibility for daily operation of the facility to be licensed. (Section 4.4 of the Child Care Act of 1969 [225 ILCS 10/4.4])

"License study" means the review of an application for license, on-site visits, interviews, and the collection and review of supporting documents to determine compliance with the Child Care Act of 1969 and the standards prescribed by this Part.

"Licensed capacity" means the maximum number of day-care children receiving child care under age 12 permitted in the home at any one time. Children age 12 and over on the premises are not considered in determining license capacity.

"Licensing representative" means a person persons authorized by the Department under Section 5 of the Child Care Act of 1969 to examine facilities for licensure.

"Member of the household" means a person who resides in a family home as evidenced by factors, including, but not limited to, maintaining clothing and personal effects at the household address, or receiving mail at the household address, or using identification with the household address.

"Minor traffic violation" means a traffic violation under the laws of the State of Illinois or any municipal authority therein or another state or municipal authority that which is punishable solely as a petty offense. (See Section 6-601 of the Illinois Driver Licensing Law [625 ILCS 5/6-601].)

"Parents", as used in this Part, means those persons persons assuming legal responsibility for care and protection of the child on a 24-hour basis; includes guardian or legal custodian.

"Permit" means a one-time only document issued by the Department of

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Children and Family Services for a two-month period to allow the individuals identified to become eligible for a license.

"Person" means any individual, group of persons, agency, association, or organization.

"Persons subject to background checks" means:

- the operators of the child care facility; and
- all current and conditional employees of the child care facility; and
- any person who is used to replace or supplement staff; and
- any person who has access to children, as defined in this Section.

If the child care facility operates in a family home, the license applicants and all members of the household age 13 and over are subject to background checks, as appropriate, even if these members of the household are not usually present in the home during the hours the child care facility is in operation.

"Physician" means a person licensed to practice medicine in the State of Illinois or a contiguous state.

"Premises" means the location of the day care home wherein the family resides and includes the attached yard, garage, and any other outbuildings.

"Program" means all activities provided for the children during their hours of attendance in the day care home.

"Protected exit from a basement" means an exit that which is separated from the remainder of the day care home by barriers (such as walls, floors, or solid doors) providing one-hour fire resistance. The separation must be designed to limit the spread of fire and restrict the movement of smoke.

"School age" means children from 6 to 12 years of age and 5 five year olds who are in full-day kindergarten.

"Special use areas" means areas of the home that which may not be included in the measurements of the area used for child care. Special use areas include, but are not limited to, laundry rooms, furnace rooms, bathrooms, hazardous areas, and areas off-limits to children.

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"Supervising agency," as used in this Part, means a licensed child welfare agency, a licensed day care agency, or the Department.

"Swimming pool" means any natural or artificial basin of water intended for public swimming or recreational bathing which exceeds two feet-six-inches in depth as specified in the Illinois Swimming Pool and Bathing Beach Act and Code (77 Ill. Adm. Code 820). The term includes bathing beaches and pools at private clubs, health clubs, or at private residences when used for children enrolled in a child care facility.

"Wading pool" means any natural or artificial basin of water less than two-feet-six-inches in depth that which is intended for recreational bathing, water play or similar activity. The term includes recessed areas less than 2'6" two-feet-six-inches in depth in swimming pools that which are designated primarily for children.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 406.4 Application for License

- a) A complete application shall be Application-for-license-as-a-day-care home-shall-be-completed-signed-by-the-day-care-home-applicant and filed with the Department of Children and Family Services by the supervising agency on forms prescribed and provided by the Department.
- b) A complete application shall include: Applicant(s)-shall-provide-the-supervising-agency:
  - 1) a completed, signed and dated Application for Home License; the-names, addresses-and-telephone-numbers-of-at-least-three--(3)-adults--not-related-to-them-who-can-attest-to-their-character-and-suitability-to-provide-child-care;
  - 2) a list of persons who will be working in the day care home, including any substitutes and assistants, and members of the household age 13 and over; and
  - 3) completed complete, signed and dated authorizations to conduct the background check for applicant(s) each employee or person used to replace or supplement staff, and each member of the household age 13 and over;
  - 4) a completed, signed and dated Family Home Information Form;
  - 5) a completed, signed and dated Child Support Certification form; and
  - 6) the names, addresses and telephone numbers of at least 3 adults not related to the applicants who can attest to their character and suitability to provide child care.
- c) The supervising agency shall study each day care home under its supervision before recommending issuance of a license. The licensing study shall be conducted by a licensing representative and shall be

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reviewed and approved by his/her supervisor. Supervisory approval indicates recommendation for license or denial of a license and compliance or non-compliance with the standards prescribed by this Part. The study shall be in writing and shall be signed by the licensing representative performing the study and by his/her supervisor. The applicant shall receive a copy of the license study upon written request and payment of copying costs.

- d) A new application shall be filed when any of the following occurs:
- 1) When an application for a license has been withdrawn, and the licensee or agency seeks to reapply; or
  - 2) When there is a change in the name of the licensee, the location of the day care home, or the supervising agency; or
  - 3) When there is a change in the status of joint licensees, such as separation, divorce or death; or
  - 4) Not sooner than 12 months after the Department has revoked or refused to renew a license and a new license is sought.
- e) Approval of the supervising agency is required to effect changes in the license capacity or the ages of children served in conformance with the requirements of Section 406.13.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 406.5 Application for Renewal of License

- a) Application forms for license renewal shall be mailed to day care home licensees by the supervising agency 3 **three** months prior to the expiration date of the license.
- b) The completed application shall be signed by the licensees ~~licensees~~ and submitted to the supervising agency no later than 30 days from the date mailed to licensees ~~licensees~~ to be considered timely and sufficient.
- c) When a licensed day care home seeks to change its name, location, or supervising agency, a new application reflecting the ~~changes~~ ~~changes~~ must be completed, signed by the licensees ~~licensees~~ and submitted to the supervising agency 30 **thirty** days prior to the effective date of the ~~changes~~ ~~changes~~ for the application to be considered timely and sufficient.
- d) When a licensee has made timely and sufficient application for renewal of a license or a new license with reference to any activity of a continuing nature and the Department fails to render a decision on the application for renewal of the license prior to the expiration date of the license, the existing license shall continue in full force and effect ~~for up to thirty (30) days until the final Department decision has been made (Section 5 of the Act). Upon a showing of good cause by the licensee, the supervising agency or the Department, the Department shall further extend the period in which such decision must be made in individual cases for up to 30 days.~~ ~~Good cause includes but is not~~

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~~limited--to--shortages-of-staff--or--the--absence--of--the--licensees--from--the--day--care--home--both--the--request--for--the--second--extension--and--the--Department's--decision--on--that--request--shall--be--in--writing.~~

- e) Upon receipt of the application for license renewal, the supervising agency shall conduct a license study in order to determine that the day care home continues to meet licensing standards. The licensing study shall be in writing and shall be reviewed and signed by the licensing supervisor and the licensing representative performing the study. The licensees ~~licensees~~ shall receive a copy of the license study upon written request and payment of copying costs.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 406.6 Provisions Pertaining to the License

- a) The licensees shall be a primary caregiver or caregivers who reside in the family home and meet the requirements of this Part. Further, the licensees shall be an individual, a man and woman married to each other or two persons related by blood, marriage, or adoption who reside in the family home.
- b) A day care home license is valid for three years unless revoked by the Department or voluntarily surrendered by the licensee.
- c) The number of children under age 12 cared for in the day care home at any one time shall not exceed the license capacity. However, the caregiver may accept one additional school-age child in accordance with Section 406.13(e), as long as the total number of children in the home under age 12 does not exceed 12 children.
- d) The age limits specified on the license shall be observed, unless the licensee has submitted a transition plan to the Department in accordance with Section 406.13(f) in order to keep members of a sibling group together and the Department has approved the plan.
- e) Child care may be provided only in those areas specified on the license.
- f) The license is valid only for the family residence of the licensee and shall not be transferred to another person or other legal entity.
- g) The license shall not be valid for a name or location other than the name and location on the license.
- h) The license shall be prominently displayed in the home at all times.
- i) There shall be no fee or charge for the license.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 406.7 Provisions Pertaining to Permits

- a) A permit shall not be issued until:
- 1) The application for license has been completed and signed by the



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- applicants ~~applicant(s)~~ and submitted to the Department;
- 2) The background checks required by Section 406.9 have been completed and the results of the background check have been received for the operator of the day care home;
  - 3) Medical reports as required in Section 406.24(h) have been received by the Department for all caregivers and assistants;
  - 4) The applicant who is the primary caretaker has been certified in first-aid, the Heimlich maneuver, and infant/child cardiopulmonary resuscitation (CPR) in accordance with Section 406.9(k);
  - 5) Character references have been requested, and at least two favorable references have been received, and the results of the background check have been received for the operator of the day care home;
  - 6) A personal visit to the home by a licensing representative has been completed. The purpose of this visit is to determine compliance with all the licensing requirements except the requirements for remaining character references, medical examination reports, and well water tests compliance that which may be complied with within the 2 two month period covered by the permit. However, when well water tests are required, applicants must agree to boil all drinking and cooking water and to provide only bottled water for children under 15 months of age until the test results are received; and
  - 7) A written plan has been submitted to the licensing representative that which indicates that requirements for a license shall be met within the 2 two month permit period.
- b) A permit shall not be issued retroactively.
  - c) Permits shall not be transferred to another person or other legal entity.
  - d) Permits shall not be valid for a name or location different from the name and location shown on the issued permit.
  - e) Permits shall not be renewable.
  - f) A current permit shall be available in the day care home at all times while the home is operating under a permit.
  - g) A license shall be issued at any time within the 2 two month period covered by the permit provided that the day care home achieves and maintains compliance with the Department's licensing standards.
  - h) The day care home shall adhere to the provisions or restrictions specified on the permit.
  - i) There shall be no fee or charge for the permit.
- (Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 406.8 General Requirements for Day Care Homes

- a) The physical facilities of the home, both indoors and outdoors, shall

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- meet the following requirements for safety to children.
- 1) The home shall have a first aid kit consisting of adhesive bandages, scissors, syrup of ipecac, thermometer, non-permeable gloves ~~band-aids~~, sterile gauze pads, adhesive tape, tweezers and mild soap.
  - 2) The kitchen shall be equipped with an operable fire extinguisher rated for Class A, B, and C fires and a flashlight in working order.
  - 3) Electrical outlets that are within reach of children under 5 years of age shall have protective coverings. There shall be no exposed or uninsulated wiring.
  - 4) The home shall be equipped with a minimum of one approved smoke detector in operating condition on every floor level, including basements and occupied attics. A smoke detector in operating condition shall be within ~~fifteen--4~~ 15 feet of rooms where children ~~children~~ nap or sleep. The detector shall be installed on the ceiling and at least 6 inches from any wall, or on a wall located between 4 and 6 inches from the ceiling. In addition, there shall be at least one detector at the beginning and end of each separate corridor or hallway 200 feet or more in length in any occupied story. Further, in any facility constructed after December 31, 1987, or which undergoes substantial remodeling of its structure or wiring system after that date, the smoke detectors shall be permanently wired into the structure's AC power line, and, if more than one detector is required to be installed, the detectors shall be wired so that the activation of one detector will activate all the detectors in the facility unit. Further, in any facility constructed after December 31, 1987, or which undergoes substantial remodeling of its structure or wiring system after that date, the smoke detector(s) shall be permanently wired into the structure's AC power line, and, if more than one detector is required to be installed, the detectors shall be wired so that the activation of one detector will activate all the detectors in the facility unit. (Section 2 of the Facilities Requiring Smoke Detectors Act (425 ILCS 10/2)) For purposes of this subsection (a)(1) rate, "substantial remodeling" represents more than 1% of the replacement cost of the day care home. Compliance with any applicable Federal, State or local law, rule or building code which requires the installation and maintenance of smoke detectors in a manner different from this Section, but providing a level of safety for occupants which is equal to or greater than that provided by this Section, shall be deemed to be compliance with this Section. (Section 2 of the Facilities Requiring Smoke Detectors Act (425 ILCS 10/2))
  - 5) Fixed space heaters, fireplaces, radiators, and other heating sources in areas occupied by children shall be separated by partitions or a sturdy barrier to prevent contact. Portable space heaters may not be used in a day care home during the hours that

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- child day care is provided.
- 6) Facilities in which a wood-burning stove or fireplace has been installed and which is used during the hours that child day care is provided shall provide a written plan of how the stove or fireplace will be used and what actions will be taken to ensure the children's safety when in use. furnish-a-written-statement certifying-its-safety-from-the-office-of-the-State-Fire-Marshal or-local-Agencies-authorized-by-the-Office-of--the-State-Fire-Marshal--to-conduct-inspections-on-its-behalf--Such-statement shall-be-provided-upon-internal-application-for--licensure-and subsequent-applications-for-licensure-renewal.
- 7) When Where the basement area may be used for child care, 2 two exits via a door directly to the outside (without traversing any other level of the home) or a protected exit from a basement via a door or stairway that which allows unobstructed travel directly to the outside of the building at street or ground level. The stairway may not be more than 8 eight feet high. A second exit may be a window operable from the inside without the use of tools that which provides a clear opening not less than 20 inches in width, 24 inches in height, and 5.7 square feet in area. If the window is used as a second exit, the bottom of the window opening shall be no not more than 44 inches above the floor. When the bottom of the window opening is greater than 24 inches above the floor, there shall be a permanently affixed, sturdy ramp or stairs located below the window to allow speedy access in the event of an emergency. If the basement area does not meet these exiting requirements, the basement may be used for child day care only with the prior written approval of the Office of the State Fire Marshal or local agencies authorized by the Office of the State Fire Marshal to conduct inspections on its behalf.
- ~~Basements--which-have-been-approved-for-day-care-use-in-currently licensed-day-care-homes-are-permitted-one-year-from-the-effective date-of-these-amendments-to-comply-with-these--basement--exiting requirements.~~
- 8) All walls and surfaces shall be free from chipped or peeling paint.
- 9) Walls of rooms that children use shall be maintained free of lead paint.
- 10) Furniture and equipment shall be kept in safe repair.
- 11) First aid ~~first-aid~~ supplies, medication, cleaning materials, poisons, sharp scissors, plastic bags, knives, cigarettes, matches, lighters, flammable liquids, and other hazardous materials shall be stored in places inaccessible to children. Hazardous items for infants and toddlers also include items that can cause choking, including but not limited to: coins, balloons, safety pins, marbles, Styrofoam(trademark) and similar products, and sponge, soft rubber or soft plastic toys.

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- 12) Tools and gardening equipment shall be stored in locked cabinets, if possible, or in places inaccessible to all children.
- 13) ~~Handguns are prohibited on the premises of the day care home except in the possession of peace officers or other adults who must possess a handgun as a condition of employment and who reside in the day care home.~~
- 14) Any firearm, other than a handgun in the possession of a peace officer or other person as provided in subsection (a)(13) above, shall be kept in a disassembled state, without ammunition, in locked storage in a closet, cabinet, or other locked storage facility inaccessible to children. Ammunition for such firearms ~~firearms~~ shall be kept in locked storage separate from that of the disassembled firearms ~~firearms~~, inaccessible to children.
- 15) The operator of the home shall notify the parents ~~parent(s)~~ or guardian of any child accepted for care that firearms and ammunition are stored on the premises. The operator shall also notify the parents ~~parent(s)~~ or guardian that such firearms and ammunition are locked in storage inaccessible to children. (Section 7 of the Act) Such notification need not disclose the location where the firearms and ammunition are stored.
- 16) There shall be written plans for immediate evacuation in case of emergency. The evacuation plan shall identify the exits from each area used for child care and shall specify the evacuation route. Monthly fire drills shall be conducted for the purpose of removing children from the home as quickly as possible. Tornado drills shall be conducted monthly for the purpose of getting children accustomed to moving to a position of safety in the event of a tornado. Records shall be maintained of the dates and times required drills are conducted.
- 17) Exit doors shall be kept clear of equipment and debris at all times.
- 18) In the event of a fire, the day care home shall be evacuated immediately and the children's safety insured before calling the fire department or attempting to combat the fire.
- 19) There shall be an operable telephone available on the premises of the licensee. The number of the Poison Control Center (1-800-942-5369) and other emergency numbers shall be posted in an area that is readily available in an emergency.
- 20) All in-ground ~~or--above-ground~~ swimming pools located in areas accessible to children shall be fenced. The fence shall be at least 5 3-4/2 feet in height and secured by a locked gate. Day care homes that are licensed as of the effective date of this Section have one year from the effective date to comply with the fence height requirements.
- 21) All above-ground pools shall have non-climbable sidewalls that are at least 4 feet high or shall be enclosed with a 5 foot fence that is at least 36 inches away from the pool's side wall and secured with a locked gate. When the pool is not in use, steps

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shall be removed from the pool or otherwise protected to insure the pool cannot be accessed. Day care homes that are licensed as of the effective date of this Section have one year from the effective date to install a 5 foot fence, if necessary to comply with this requirement.

22a) Portable wading pools shall be emptied daily and disinfected ~~cleaned-with-a-germicidal-solution~~ before being air-dried.

23) All hot tubs shall have securely locked covers or otherwise be inaccessible to children.

b) The kitchen shall be clean, equipped for the preservation, storage, preparation and serving of food, and ~~shall~~ be reasonably safe from hazards.

c) Garbage and refuse containers used to discard dispersing supplies, food products or disposable meal service supplies in areas for child care shall be disinfected ~~cleaned~~ daily with-a-germicidal-solution unless plastic liners are used and disposed of daily.

d) A safe and sanitary water supply shall be maintained. If a private water supply is used instead of an approved public water supply, the applicant shall supply written records of current test results indicating the water supply is safe for drinking. New test results must be provided prior to relicensing. If nitrate content exceeds 10 parts per million, bottled water must be used for children under 15 months of age ~~infants~~.

e) Hot and cold running water shall be provided.

f) Insect and rodent control shall be maintained.

1) All outside doors except those with operable self-closing devices, operable windows, and other openings used for ventilation shall be screened.

2) Chemicals for insect and rodent control shall be applied in minimum amounts and shall not be used ~~applied-in-areas-accessible to-children~~ when children are present. Over-the-counter products may be used only according to package instructions. Commercial chemicals, if used, shall be applied by a licensed pest control operator and shall meet all standards of the Department of Public Health (Structural Pest Control Code, 77 Ill. Adm. Code §30). A record of any pesticides used shall be maintained.

g) Healthy household pets that which present no danger to children are permitted.

1) A licensed veterinarian shall certify that the animals are free of diseases that could endanger the children's health and that dogs and cats have been inoculated for rabies.

2) If certification is not available, animals shall be confined at all times in an area inaccessible to children.

3) There shall be careful supervision of children who are permitted to handle and care for the animals.

4) Immediate treatment shall be available to any child who is bitten or scratched by an animal.

5) The presence of monkeys, ferrets, turtles, iguanas, psittacine

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birds (birds of the parrot family) or any wild or dangerous animal is prohibited in areas accessible to children during the hours the day care home is in operation.

b) Indoor space shall consist of a clean, comfortable environment for children.

1) The day care home shall be well-ventilated, free from observable hazards, properly lighted and heated, and free of fire hazards.

2) The dwelling shall be kept clean, sanitary, and in good repair.

3) There shall be provision for isolating a child who becomes ill or who is suspected of having a contagious disease.

4) When used for child care, basement floors shall have protective covering such as, but not limited to, tile, carpet, linoleum. Paint or sealer alone is not acceptable as a protective covering.

5) When children under 30 months of age are in care, stairs leading to second levels, attics or basements shall be fitted with a sturdy gate or other barrier to prevent the children's access to stairs without adult supervision.

1) The licensee shall identify those areas in the home used for child care. The identified areas minus any special use areas shall be measured to calculate the square footage available for child care. When the license capacity of the home exceeds 8 ~~eight~~ children, there shall be:

1) A minimum of 35 square feet of floor space per each child in care, and

2) An additional 20 square feet of floor space for each child under 30 months of age when the play area is the same as the sleep area. However, if portable bedding is used for napping, then removed, the licensing representative shall approve the use of only 35 square feet of space for each child if the applicant/licensee has adequate storage for the bedding materials and the bedding materials are removed before and after napping.

3) No person may smoke tobacco in any area of the day care home in which day care services are being provided to children, while those children are present on the premises. In addition, no person may smoke tobacco while providing transportation, in either an open or enclosed motor vehicle, to children who are receiving child day care services. Nothing in this subsection prohibits smoking in the home in the presence of a person's own children or in the presence of children to whom day care services are not then being provided. [225 ILCS 10/5.5]

k) There shall be safe outdoor space for active play.

1) Space shall be provided for play in yards, nearby parks or playgrounds under adult supervision.

2) Space shall be protected by physical means or by adult beginning supervision against all hazards such as pools, ponds, standing water, traffic, and construction.

3) Play areas shall be well drained and safely maintained.

4) All pieces of outdoor equipment used by children 5 years of age and younger shall meet the following standards to guard against

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entrapment or situations that may cause strangulation.

A) Openings in exercise rings shall be smaller than 4 1/2 inches or larger than 9 inches in diameter.

B) There shall be no openings in a play structure with a dimension between 3 1/2 inches and 9 inches (except for exercise rings). Side railings, stairs and other locations that a child might slip or climb through shall be checked for appropriate dimensions.

C) Distances between vertical slats or poles, where used, must be 3 1/2 inches or less (to prevent head entrapment).

D) No opening shall form an angle of less than 55° unless one leg of the angle is horizontal or slopes downward.

E) No openings shall be between 3/8 inch and one inch in size (to prevent finger entrapment).

5) The use of a trampoline on the premises of a home is prohibited. If there is a trampoline on the premises of the home, it must be stored in a way that makes it inaccessible to children in care.

64) If public parks or playgrounds are used for play, the children shall be closely supervised by the beginning during play and while traveling to and from the area.

75) Supervision shall be provided during outdoor play by caregivers who meet the requirements of Section 406.9 below.

1) Operation of other business on the premises must not interfere with the care of children.

m) A day care home may not house bedridden or chronically ill persons except by permission of the supervising agency. The supervising agency shall grant such permission unless the person has a contagious or a reportable communicable disease or requires care that which adversely affects the ability of the beginning to supervise children.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 406.9 Characteristics and Qualifications of the Day Care Family

a) No individual may receive a license from the Department when the applicant, a member of the household age 13 and over, or any individual who has access to the children cared for in a day care home, or any employee of the day care home, has not authorized the background check required by 89 Ill. Adm. Code 385. [Background Checks] and been cleared in accordance with the requirements of Part 385.

b) Employees subject to background checks may begin employment on a conditional basis while awaiting the results of the background check. Such employees may not be alone with children until the results of the initial background check have been received.

c) Persons who have been the perpetrator of certain types of child abuse or neglect or who have committed or attempted to commit certain crimes

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may not be licensed to operate a day care home, be a member of the household of a family home in which a day care home operates, or be an employee or volunteer in a day care home. These allegations/criminal convictions are listed in Appendix C of this Part.

d) Day care homes shall be responsible for ensuring that persons subject to criminal background checks make themselves available for fingerprinting when scheduled by the Department or its authorized representatives ~~representative(s)~~.

Failure of a person subject to criminal background checks to appear for scheduled fingerprinting may result in the denial of a license application or refusal to renew or revocation of an existing license unless the child care facility can demonstrate that it took reasonable measures to insure cooperation with the fingerprinting process. Adequate cause for failure to appear for fingerprinting includes, but is not limited to:

1) death in the family of the person;  
2) serious illness of the person or illness in the person's immediate family; or  
3) weather or transportation emergencies.

e) As a condition of licensure, each licensee or license applicant must *certify under penalty of perjury that he or she is current or not more than 30 days delinquent in complying with a child support order. Failure to so certify may result in a denial of the license application, refusal to renew the license, or revocation of the license.* (Section 10-65(c) of the Illinois Administrative Procedure Act [5 ILCS 100/10-65(c)])

f) If the licensees ~~licensee(s)~~ or license applicants ~~applicant(s)~~ acknowledge that they are more than 30 days delinquent in complying with an order for child support or, upon completion of the background check, the licensees ~~licensee(s)~~ or license applicants ~~applicant(s)~~ are found to be delinquent despite their certification, the Department shall deny the application for license, refuse to renew the license, or revoke the license unless the licensees ~~licensee(s)~~ or license applicants ~~applicant(s)~~ arrange for payment of past due and current child support and pay child support in accordance with that agreement.

g) Members of the household who have contact with the children in care shall treat them with respect, courtesy, and patience.

h) The beginning is responsible for the day-to-day operation of the day care home in accordance with the standards prescribed in this Part.

i) The caregivers ~~beginning(s)~~ in a day care home shall be at least 18 years of age.

j) The caregivers and all members of the household shall provide medical evidence as required by Section 406.24(h) that they are free of reportable communicable disease, and, in the case of caregivers, free of physical or mental conditions that which could interfere with the child care responsibilities.

k) The licensee who is the primary caregiver shall be certified in first-aid, the Heimlich maneuver, and infant/child cardiopulmonary resuscitation (CPR) by the American Red Cross, the American Heart



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Association or other entity approved by the Department.

- 1\*) During the hours of operation of the day care home, there shall be at least one person on the premises certified in first aid ~~first-aid~~, the Heimlich maneuver and infant/child cardiopulmonary resuscitation (CPR) by the American Red Cross or the American Heart Association, or other entity approved by the Department. The caregivers ~~caregiver(s)~~ shall have on file current certificates attesting to the training. ~~Currently-licensed-day-care-homes-having-six-months-to-obtain-the-required-certification-in-first-aid:~~
- m) Through interaction with the licensing representative, children, parents ~~parent(s)~~ or guardian of children in care and operation of the day care home in accordance with standards prescribed by this Part, caregivers shall exhibit competence in the following specific areas:
- 1) Knowledge of basic hygiene, safety, and nutrition.
  - 2) The ability to relate comfortably with parents and to communicate with them on differences in caregiving methods, values, and goals.
  - 3) The ability to communicate with children.
  - 4) The ability to set realistic controls for children and to enforce these without harshness or physical abuse.
  - 5) Knowledge of the child's need to explore and manipulate and the willingness to provide and maintain a home where children can enjoy living and learning.

nn) The caregivers ~~beginning(s)~~ may not be employed outside the home during the hours that child care is being provided.

o) In addition to meeting the other requirements of this Section, the caregivers shall complete 15 clock hours of continuing education per year in matters related to child care/child development or compliance with the standards prescribed by this Part. Such continuing education may be derived from training offered by the Department of Public Health, Department of Human Services, the Office of the State Fire Marshal, or national, state or local organizations specializing in child care or child development. Courses or workshops to meet this requirement include, but are not limited to, child care/child development, health and sanitation, nutrition, small business management, personnel supervision, child abuse and neglect, parenting skills, first aid and safety. The records of the day care home shall document the continuing education in which the caregiver has participated, and these records shall be available for review by the Department.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 406.10 Qualifications for Assistants

- a) Assistants shall have passed the background check in Section 406.9(a).
- b) Assistants shall be at least 14 years of age and at least five years

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older than the oldest child they supervise. Minor assistants shall be employed in accordance with 56 Ill. Adm. Code 2507 (Illinois Child Labor Law).

- c) Assistants under age 18 shall work under the direct personal supervision of the caregiver at all times. Direct personal supervision means the caregiver maintains audible or visual contact with the assistant and children on the premises at all times.
- d) An assistant 18 years of age or older may accompany children playing outdoors, and may transport children, if the assistant possesses a valid driver's license for the vehicle classification that is being used to transport children and insurance.
- e) The assistant shall be compatible with the caregiver, capable of following directions, and responsive to supervision.
- f) The child care assistant shall be able to relate well with children.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 406.13 Number and Ages of Children Served

- a) The maximum number of children cared for in a day care home shall be 12 children under the age of 12, including the caregiver's own children, related children, and unrelated children.
- b) A caregiver beginning alone may care for:

- 1) A mixed age group consisting of:
  - A) Up to 8 eight children under the age of 12, of which which
  - B) Up to 5 five children under the age of 5 five, of which
  - C) Up to 3 three children may be under 24 months of age.
- 2) A mixed age pre-school group consisting of:
  - A) Up to 8 eight children under the age of 12, of which
  - B) Up to 6 six children may be under the age of 5 five, of which
  - C) Up to 2 children may be under 30 months of age No child may be under age three.
- 3) A school age group consisting of 8 eight school age children, as defined in Section 406.2.

- c) In addition to the children who may receive child day care in accordance with subsection (b) above, a day care home may accept 4 four additional children who are attending school full-time if a before and/or after school assistant is employed. Care provided for children who attend school full-time is limited to before and/or after school, holidays, weekends, during unforeseen school closings, and during the summer. The assistant shall be present at all times when school children are present.
- d) A beginning and an assistant may care for a total of 8 eight children under 5 five years of age of which up to five children may be under 24 months of age. Four additional children who are attending school

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full-time may be accepted for care only if the assistant is age 18 or over. The total number of children under the age of 12 in the home shall not exceed the maximum of 12 children. Care provided for children who attend school full-time is limited to before and/or after school, holidays, weekends, during unforeseen school closings, and during the summer.

e) In the event of a brief unforeseen school closing, the beginning may accept one additional school-age child and still be considered in compliance with the capacity requirements, as long as the total number of children under age 12 in the home does not exceed the maximum of 12 children. The beginning shall maintain a record of the dates, names and ages of the children for whom this care was provided.

f) When the acceptance of siblings of children who are already in care will place the licensee out of compliance with the established age groupings, the licensee may develop a transition plan that shall which will be submitted to the licensing representative for review and approval. The plan may be approved when:

- 1) The licensee is not currently operating under a transition plan and is in full compliance with all the licensing standards;
- 2) At least one of the siblings has been in care for 30 days or more;

3) The transition plan will bring the home back into compliance with the established age groupings within 6 months after of the date the plan is approved.

g) Caregivers licensed as of the effective date of these amendments who are in full compliance with the standards of this Part may request in writing an increase in license capacity to the maximum of 12 children. A decision regarding the increase in capacity shall be rendered within 90 days of receipt of the request. Decisions shall be made in accordance with the amended standards of this Part.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 406.14 Health and Medical Care

a) The caregiver shall conduct a daily, pre-admissions screening to determine if the child has obvious symptoms of illness. If symptoms of illness are present, the caregiver shall determine whether or not to provide care for the child, depending upon the apparent degree of illness, other children present, and facilities available to provide care for the ill child.

b) Children ~~children~~ with diarrhea and those with a rash combined with fever (oral temperature of 100 degrees Fahrenheit or higher) shall not be admitted to the day care home while these symptoms persist, and shall be removed as soon as possible should these symptoms develop while the child is in care.

c) A medical report, on forms prescribed by the Department, shall be on

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file for each child and shall be dated no earlier than 6 months prior to enrollment.

1) The medical report shall be valid for 2 ~~two~~ years, except that subsequent examinations for school-age children shall be in accordance with the requirements of Section 27-8.1 of the School Code [105 ICS 5/27-8.1] provided copies of the exam are on file at the facility.

2) Unless the examining physician has made a determination that it is unnecessary a tuberculin skin test by the Mantoux method and the results of that test shall be included in the initial examination for all children who have attained one year of age or at the age of one year for children who are enrolled before their first birthday. The tuberculin skin test by the Mantoux method shall be repeated when the children begin elementary and secondary school, unless the examining physician makes a determination that the test is unnecessary. A tuberculin skin test shall be included in the initial exam only. The test shall be administered by the Mantoux method in accordance with the rules of the Illinois Department of Public Health.

3) The initial examination shall show that children from the ages of one to 6 years have been screened for lead poisoning for children residing in an area defined as high risk by the Illinois Department of Public Health in its Lead Poisoning Prevention Code (77 Ill. Adm. Code 845) or that a lead risk assessment has been completed for children residing in an area defined as low risk by the Illinois Department of Public Health. Screening for lead poisoning (for children residing in an area defined as high risk by the Illinois Department of Public Health) or completion of lead risk assessment for children residing in an area defined as low risk by the Illinois Department of Public Health (see 77 Ill. Adm. Code 845) -- Lead Poisoning Prevention Code) shall be completed for children age six and below in accordance with the rules of the Illinois Department of Public Health (77 Ill. Adm. Code 665) -- Child Health Examination Code).

4) The report shall indicate that the child has been immunized as required by the rules of the Illinois Department of Public Health for immunizations (77 Ill. Adm. Code 695). These required immunizations are poliomyelitis, measles, rubella, diphtheria, mumps, pertussis, tetanus, hepatitis B, and haemophilus influenzae B.

5) In accordance with the Child Care Act of 1969, as amended, a parent may request that immunizations, physical examinations, and/or medical treatment be waived on religious grounds. A request for such waiver shall be in writing, signed by the parent, and kept in the child's record.

6) Exceptions made for children who for medical reasons should not be subjected to immunizations or tuberculin tests shall be so indicated by the physician on the child's medical form.

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- d) A child suspected of having or diagnosed as having a reportable infectious, contagious, or communicable disease for which isolation is required by the Illinois Department of Public Health's General Procedures for the Control of Communicable Diseases (77 Ill. Adm. Code 690.1000) shall be excluded from the home until the Illinois Department of Public Health or local health department authorized by it states, in writing, that the communicable, contagious or infectious stage of the disease has passed and that the child may be re-admitted to the day care home.
- e) Necessary medications shall be administered according to specific written instructions provided by the child's parents or guardians.
- 1) Prescription medicine labels must bear the child's name, the physician's name, the name of the drug store or pharmacy, prescription number, date of the prescription, and directions for administering.
  - 2) Non-prescription medication may be administered upon written parental permission that which specifies the duration and frequency of medication. Such medication shall be administered in accordance with package instructions, and, except for aspirin and aspirin substitutes, shall be labeled with the child's name and dated.
  - 3) There shall be a signed statement by the child's parent or guardian giving permission to the caregiver to administer medication to the child.
  - 4) The caregiver shall maintain a record of the dates, hours and dosages that which are given.
  - 5) Medication that shall be returned to the parents parent(s) when it is no longer required. Additionally, medication provided for a child no longer cared for in the facility and medication that which has reached its expiration date shall be destroyed.
  - 6) Medical services, such as direct medical care to the child, shall be administered as required by a physician, subject to the receipt of appropriate releases from parents.
  - f) In order to reduce the risk of infection or contagion to others, space must be provided in the day care home for the isolation and observation of a child who becomes ill. An ill child shall be provided a bed or cot away from other children and a caregiver or assistant shall supervise the child at all times he/she is in the home.
  - g) When a day care home admits ill or injured children, a plan for the care of such children must be agreed upon with the parents parents(s) to assure that the needs of the children for rest, attention, personal care and administration of prescribed medication are met. No child requiring exclusion from the home in accordance with 77 Ill. Adm. Code 690 may be admitted.
  - h) Personal hygiene standards, such as the following, shall be observed:
    - 1) Each child shall be provided with an individual towel, washcloth, and drinking cup. Single-use, disposable articles are

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- acceptable.
- 2) A separate sleeping arrangement, such as a bed, cot, crib, or playpen with individual bedding, shall be provided for each child who naps or sleeps while in care. A twin size bed may be used for 2 children under age 4, provided each child shall have individual sheets.
    - A) The bed shall be kept in a clean and sanitary condition at all times, and bedding shall be suitable for the season.
    - B) Family beds may be used for children if separate linens are used.
    - C) Rubber sheets shall be used when necessary.
    - D) There shall be at least 2 feet of space on all sides between beds, cribs, cots, and playpens.
  - 3) The caregiver shall require parents to supply clothing suitable to weather conditions, as well as a complete change of clothing in case of need.
  - 4) Caregivers and children shall wash and dry their hands before meals, after toileting, after diaper changing, and after contact with respiratory secretions.
  - 5) Open cuts, sores or lesions on caregivers caregiver(s) or children children shall be covered.
  - 6) Caregivers shall wash their hands prior to food preparation and after any physical contact with a child during food preparation. Hands shall be changed when soiled and at least weekly.
  - 7) Sheets shall be changed when soiled and at least weekly.
  - 8) Clothing soiled due to toilet accidents shall be changed immediately.
  - i) Caregivers Caregiver(s) shall take reasonable measures to reduce the spread of communicable disease among children in the facility by observing such procedures as:
    - 1) Using only washable toys with diapered children child(ren);
    - 2) Washing washable toys at least once per day;
    - 3) Cleaning facility-provided stuffed toys;
    - 4) Washing toys mouthed by one child before they are used by another child; and
    - 5) Washing pacifiers and other items placed in the mouth if dropped to the floor or ground.
  - j) There shall be an emergency plan for each child in case of accident or sudden illness.
    - 1) The caregiver shall have available at all times the name, address, and telephone number where the child's parents or guardian, relative, friend, or physician, and the Department can be reached.
    - 2) There shall be a planned source of readily available emergency medical care; a hospital emergency medical room, clinic, or the child's physician.
    - 3) When the caregiver accompanies a child to the source of emergency care, an adult who meets the standards prescribed by Section

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406.11, must assume supervision of other children in the home.  
 4) In case of illness or accident, the parent, guardian, or supervising agency responsible for the child shall be notified immediately, and the child shall be removed from the home as soon as possible.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 406.15 Discipline of Children

a) The caregiver shall use disciplinary measures designed and carried out in such a way as to help individual children develop self-control and assume responsibility for their own acts.

- 1) The caregiver shall establish simple, understandable rules so that expectations and limitations are clear to the child.
- 2) Discipline shall not be out of proportion to the particular inappropriate behavior.
- 3) Discipline shall be related to the child's act and be handled immediately by the adult involved so the child is aware of the relationship between acts and consequences.

4) Removal from the group to help a child gain control shall not exceed one minute per year of age. Removal from the group shall not be used for children less than 24 months of age. ~~Removal from the other children as a means of helping a child gain control; shall be for a period of time up to 15 minutes.~~

b) No child shall be subjected to extreme punishment.

- 1) No child shall can be subjected to physical punishment, nor can shaming, frightening, or humiliating methods be used.
- 2) There shall can be no verbal abuse, threats, or derogatory remarks about the child or the child's family.
- 3) Depriving a child of meals or any part of meals shall never be used as punishment.
- 4) No child shall be punished for toilet accidents.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 406.17 Nutrition and Meals

a) Meals and snacks served to the children shall be ~~shall be provided by the facility~~ in a quantity and of such quality as to meet the daily nutritional needs of the child.

b) Food requirements for children between birth and the age of eating table food shall be geared to the individual needs of the child and determined by consultation with the parents. The facility shall provide one-third to two-thirds of the daily nutritional requirements, depending on the length and time of day of the child's stay. The main

meal shall be nutritionally balanced conforming to age appropriate portions and variety as reflected in the Meal Pattern Charts, Appendices A and B.

c) Children one year of age and older in attendance for more than 2 two but less than 5 five hours shall be served a mid-session snack consisting of one-half cup of pure fruit juice or full-strength canned or frozen fruit juice that ~~which~~ contains at least 30 milligrams of vitamin C per serving, or one to one-half cup of pasteurized milk, or one serving of citrus fruit.

d) Children one year of age and older in attendance 5 five to 10 ten hours shall be served at least one-third of their daily food requirements, which shall include a well-balanced, nutritive meal. Occasional picnic-type meals may be substituted for a main meal. Mid-morning and mid-afternoon snacks consisting of fruit, fruit juice, or pasteurized milk (as prescribed under subsection Section 406.17 (c) above) shall be included. Children in attendance for over 10 ten hours shall be served food to provide at least two-thirds of their daily food requirements. Two meals and the supplemental snacks will meet this requirement. One of the meals may be breakfast or supper, depending on the time the child arrives or departs.

e) Whole milk shall be served to children under 2 years of age unless low-fat milk is requested by the child's physician.

f) Children shall be served small servings of bite-size pieces. All meals shall be suitable for children and prepared by methods designed to conserve nutritive value, flavor, and appearance.

g) Children under 2 years of age shall not be fed whole berries, hard candies, raisins, corn kernels, raw carrots, whole grapes, hot dogs, nuts, seeds, popcorn, raw peas or peanut butter, as these foods may cause choking.

h) Cooked carrots, corn, peas and bananas may be served to infants only if mashed, grated or pureed.

i) Hot dogs and raw carrots may be served to children between 2 and 3 years of age only if cut into short, thin strips. Peanut butter shall only be served to children between 2 and 3 years of age if thinly spread on bread, crackers or other foods or if mixed with other foods. The caregiver may allow meals and snacks to be provided by the parent or legal guardian upon written agreement between the parent and caregiver.

1) Food brought into the facility shall have a label showing the child's name, the date, and the type of food.

2) Potentially hazardous and perishable foods shall be refrigerated properly, and all foods shall be protected against contamination.

3) Meals and snacks provided by the parent or legal guardian for his or her own children shall not be shared with other children.

4) The caregiver shall inform the parent or legal guardian of the nutritional requirements of this Part.

5) The caregiver shall have food available to supplement a child's food brought from home if that food is deficient in meeting the



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- 1) nutrient requirements of this Part.
- mh) Drinking water shall be readily available to the children at all times.
- nh) Mealtimes shall be pleasurable experiences for the child.
- 1) There shall be enough time allowed for meals so the children can eat in an unhurried atmosphere.
  - 2) Children shall be encouraged but not forced to try new foods.
  - 3) Information provided by parents concerning the child's eating habits, food preferences, or special needs should be considered in planning menus.
  - 4) Food preferences and eating habits shall not be permitted to become a source of friction at mealtimes.
  - 5) Mealtimes should occur in a social atmosphere and afford children the close presence of an attentive adult.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 406.18 Transportation of Children By Day Care Home

- a) Children may be transported only when the child/adult ratios in accordance with Section 406.13 are maintained and the person transporting is by persons 18 years of age or older and has a valid driver's license for the vehicle classification being used. ~~in the child/adult ratio prescribed in Section 406.13.~~
- b) Caregivers shall be responsible for assuring the safe transport of children.
- c) Each child shall be individually fastened into a suitable infant or child restraint device which is federally approved and labeled as such whenever the vehicle is in motion.
- d) While transporting children, the driver shall be responsible for seeing that:
  - 1) Each child shall board or leave the vehicle from the curb side of the street, and shall be safely conducted to the home or facility.
  - 2) A responsible person as designated by the child's parents ~~parent(s)~~ or guardian shall receive the child when delivered to the home or the facility.
- e) No child shall be left unattended in a vehicle.
- f) The vehicle shall be safely equipped and the caregiver shall comply with State ~~state~~ and local laws pertaining to vehicles.
  - 1) The vehicle shall be equipped in accordance with requirements of the Illinois Vehicle Equipment Law Code [625 ILCS 5/Ch. 12] ~~444 Rev--Stat--1994--ch--95-17-19-100-et-seq~~ and local vehicle safety ordinances.
  - 2) Evidence of compliance regarding vehicle liability and medical insurance shall be on file with the home records. Evidence may consist of, but is not limited to, a copy of an insurance policy,

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- binder or certificate; or a letter from the insurance carrier.
- 3) The vehicle shall be equipped with safety locking devices on doors and shall be maintained in a mechanically safe condition at all times.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 406.22 Children Under 30 Months of Age

- a) Children under 30 months of age shall not be permitted in bathrooms, kitchens, or other hazardous areas without the caregiver or assistant present.
- b) Children under 30 months of age shall be provided a daily program that is designed to meet their needs.
  - 1) The caregiver shall demonstrate warm, positive feelings toward each child through actions such as hugging, patting, smiling, and cuddling.
  - 2) Routines such as naps and feedings shall be discussed with the parents and shall be consistent with the child's routine at home.
  - 3) Non-mobile children who are awake shall be moved to different positions and shall be held, rocked, and carried about.
  - 4) The caregiver shall frequently change the place, position, and toys available for children who cannot move about the room.
  - 5) Consistent toilet training shall be undertaken at a time mutually agreed upon by parent and caregiver in accordance with the child's age and/or stage of development.
  - 6) Children shall be taken outdoors for a portion of every day, when weather permits, except when the child is ill or unless indicated otherwise by parent or physician.
- c) Feeding schedules and procedures shall meet the developmental needs of the children.
  - 1) Flexible feeding schedules of children shall be established to coordinate with parents' schedules at home and to allow for nursing.
  - 2) To avoid sudden infant death syndrome, children who cannot turn over alone shall be placed on their sides or backs when put down to sleep unless contraindicated by a physician. Placing children on their abdomens for any reason shall be avoided, unless specifically instructed by the child's physician to do so.
  - 3) Infants shall either be held or be fed sitting up for bottle feedings. Infants unable to sit shall always be held for bottle feeding. ~~Infants up to 6 months of age shall be held while being bottle-fed. Children 6 months to 6 months may be held if needed. Bottles shall not be propped at any time.~~ When infants are able, children are old enough to hold their own non-glass bottles, they may feed themselves without being held. The bottle must be removed when the child has fallen asleep. Bottle

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propping and carrying of bottles by young children throughout the day/night shall not be permitted.

- 4) Bottles shall never be warmed or defrosted in a microwave oven.  
54) Children shall be allowed and encouraged to feed themselves when they indicate a readiness to do so.

- 55) Safe finger foods such as those that which dissolve in the mouth may be provided.

- d) Proper standards of hygiene shall be observed in the home.

- 1) Hands shall be washed and dried before the feeding of each child.  
2) If the child's formula is brought in by the parent, it shall be labeled and placed in the refrigerator.

- 3) All utensils shall be washed after each use.  
4) Foods stored or prepared in jars shall be served from a separate dish for each child. Any leftovers from the serving dish shall be discarded. Leftovers in the jar shall be labeled with the child's name, dated, refrigerated, and served within 24 hours or discarded.

- 5) A toilet shall be easily accessible so that the contents of reusable diapers may be disposed of before placing the diapers in the diaper pail. Disposable diapers and their contents shall be disposed of in accordance with the manufacturer's instructions.

- 6) Persons changing diapers shall wash hands under running water with soap after each change of diaper. Hands shall be dried with single-use towels. Additionally, disposable, non-permeable ~~latex~~ **rubber-or-plastic** gloves shall be worn when changing a child who has watery or bloody stools.

- 7) The child whose diaper is ~~diapers-are~~ being changed is to be washed on the hands and anal area if there has been defecation or if irritation is present.

- 8) Children who are not toilet trained shall be diapered in their own cribs, at a central diapering area on a surface that is disinfected ~~sanitized~~ after each use, or on a disposable paper sheet that which is disposed of after each diapering.

- 9) The toilet seat, if soiled, or potty shall be cleaned after every use.

- 10) Soiled diapers shall be changed promptly.

- 11) Sheets shall be changed when soiled, and all sheets shall be changed routinely 2 times per week.

- 12) All beds shall be wiped clean as often as necessary.

- e) 1) Toys and equipment shall be kept clean.  
2) A germicidal solution of 1/4 cup household chlorine bleach to one gallon of ~~one-~~four~~-part-household-chlorine-bleach-to-nine-~~(9)~~-parts water~~ (or one tablespoon bleach to one quart of water) or other germicidal solution approved by the Centers for Disease Control and Prevention shall be used to clean surfaces soiled by blood or body fluids. The bleach solution shall be made fresh daily.

- f) The equipment must be appropriate to the developmental needs of the children child in care.

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- 1) Safe, sturdy, well-constructed individual cribs, playpens, or port-a-cribs for infants shall be equipped with good firm, fitting mattresses made of waterproof materials that can be washed. Washable cots may be used for children 15 months of age and over.

- 2) Sleeping equipment for children under 15 months must have protection to prevent falls.

- 3) There shall be no more than 1 1/2 ~~one-and-one-half~~ inches of space between the mattress and bed frame when the mattress is pushed flush at one corner of the crib.

- 4) Bed linens used on the cots, cribs, or playpens shall be safe, tightly fitting, and washable.

- 5) Conveniently located, washable, plastic-lined covered receptacles shall be provided for soiled diapers and linens.

- 6) A toilet seat or potty shall be provided.

- g) The materials must be appropriate to the developmental needs of the child in care.

- 1) Provision shall be made for an adequate supply of individual diapers, clothing, powder, oil, etc.

- 2) ~~Cribs shall be equipped with brightly-colored hanging-toys-or mobiles-~~

- 23) There shall be a variety of toys and art materials for children under 30 months of age to observe, grasp, pick up, and manipulate.

- 34) Pull toys, pounding toys, large hollow blocks, or large balls shall be available for development of large muscles.

- 4) Walkers are prohibited.

- h) Equipment and play materials shall be durable and free from characteristics that may be hazardous or injurious to children under 30 months of age. Hazardous or injurious characteristics include sharp, rough edges; toxic paint; and objects small enough to be swallowed.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 406.23 Night Care

- a) A day care home receiving children for night care shall comply with the standards prescribed for day care homes in addition to the special requirements prescribed in this Section.

- b) A child shall be considered to be enrolled in evening and/or night care when a majority of his or her time at the day care occurs between 6:00 p.m. and 6:00 a.m.

- cb) The child shall be bathed, if needed.

- de) No child under 5 years of age is to be left unattended while in the bathtub.

- ed) Each child must have individual sleeping garments that are clean and

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comfortable.

**(e)** An individual bed, crib, or cot and individual linen and bedding shall be provided for each child except as provided in this subsection. **(f)** ~~herein provided:~~

- 1) A double bed shall be the minimum size for sleeping **two** non-enuretic children of the same sex.
- 2) Rubber sheets or suitable substitutes shall be supplied when necessary.
- 3) If a crib is used there shall be no more than 1 1/2 **one-and-one-half inches** of space between the mattress and bed frame when the mattress is pushed flush at one corner of the crib.

**4)** There shall be at least 2 feet of space on all sides between beds, cribs or cots used for children receiving night care.

**g)** Caregivers and children receiving night care shall sleep on the same floor (level) of the residence.

**h)** A basement area may be used for sleeping or napping if it has been approved in accordance with Section 406.8(a)(7).

**i)** A room above the first floor may be used for sleeping or napping if the room has 2 exits with one exit leading directly to the outside with means to safely reach the ground level.

**j)** There shall be a night light or other mechanism to illuminate hallways leading to stairs and/or the restroom.

**k)** A child who goes to school from a day care home providing night care shall be clean and properly dressed according to the weather.

**l)** Each child shall have individual toilet articles such as comb, toothbrush, towel, and washcloth.

**m)** Health care routines at bedtime and/or upon rising shall include:

- 1) Brushing teeth at bedtime and upon rising.
- 2) Brushing or combing the hair upon rising.
- 3) Establishing a routine for toileting at bedtime and upon rising.

**n)** When possible, children shall be left for care and picked up either before or after their normal sleeping period so that there is minimum disturbance of the children ~~child~~ during sleep.

**o)** The day care home shall serve meals and snacks that supplement food served at home as prescribed in Section 406.17.

- 1) An evening meal that meets nutritional requirements shall be served at a regular time each evening and shall be available to children who may arrive without having first eaten.
- 2) A bedtime snack shall be served, unless contraindicated by parents or physician in accordance with Section 406.17(c).
- 3) Children who remain overnight and go to school directly from the day care home shall have breakfast, including juice or fruit, unless they are receiving breakfast at school.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## Section 406.24 Records and Reports

- a) Records as required shall be maintained on forms supplied by the Department.
- b) Information about the child and family shall be confidential as required by Section 406.25.
- c) There shall be a record of identifying information on each child received at the time the child is accepted into the home.
- d) A medical report for each child, on forms provided by the Department, shall be maintained at the facility, dated no earlier than 6 months prior to enrollment, and signed by the examining physician or certified by a recognized health facility.

1) The medical report shall be valid for two years except that subsequent exams for school age children shall be in accordance with the Illinois School Code requirements, provided that copies of the exam are on file at the facility.

2) Unless the examining physician has made a determination that it is unnecessary, a A tuberculin test shall be included in the initial exam and when the child enters elementary and secondary school only.

3) The reports shall indicate that the child has been immunized as required by Rules and Regulations of the Illinois Department of Public Health for immunizations. These required immunizations are poliomyelitis, measles, rubella, diphtheria, mumps, pertussis, tetanus, hepatitis B, and haemophilus influenzae B.

4) The report shall include a statement on any physical limitations.

5) Exceptions made for children who for medical reasons should not be subjected to immunizations or a tuberculin test shall be so indicated by the physician on the child's medical form.

e) There shall be signed consent forms from the parent or guardian including:

- 1) Permission for emergency medical care and treatment if the parent is not readily available.
- 2) Permission to administer medication, if applicable.
- 3) Permission for someone other than parent or guardian to pick up child if necessary.
- 4) Visits, trips or excursions off the premises.
- 5) Transportation provided by caregiver and caregiver assistant, if applicable.

f) The caregiver shall distribute a summary of the licensing standards, provided by the Department, to the parents ~~parent(s)~~ or guardian of each child at the time that the child is accepted for care in the home. A summary of licensing standards shall be issued to the ~~parents~~ or guardian of each child currently in care within sixty ~~60~~ days of the effective date of this rule. In addition, consumer information materials provided by the Department including, but not limited to, information on reporting and prevention of child abuse and

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neglect and preventing and reporting communicable disease, shall be distributed to the parents ~~parent(s)~~ or guardian of each child cared for when designated for such distribution by the Department. Each child's record shall contain a statement signed by the child's parents ~~parent(s)~~ or guardian, indicating that they have received a summary of licensing standards and other materials designated by the Department for such distribution.

9) In accordance with the Child Care Act of 1969, ~~as amended~~, a parent may request that immunizations, physical examinations, and/or medical treatment be waived on religious grounds. A request for such waiver shall be in writing, signed by the parent, and kept in the child's record.

h) Members of the household, regular substitutes, and assistants shall have a complete physical examination. The medical reports shall be submitted on forms provided by the Department.

1) The report shall be based on an examination that ~~which~~ occurred no earlier than 6 months prior to application, with a tuberculin test to be included in the initial exam only. If the skin test is positive, a chest x-ray is required.

2) Immunizations and the tuberculin test for an infant shall be given at the discretion of the physician.

3) The caregivers and assistants shall be found free of communicable diseases and shall be physically and emotionally fit to care for young children.

i) The medical report for caregivers, regular substitutes, and assistants shall be valid for 2 years.

j) Evidence of freedom from communicable disease or illness may be required at any time for members of the household, regular substitutes and assistants.

k) Suspected child abuse and/or neglect shall be reported immediately to the Department in accordance with the Abuse and Neglected Child Reporting Act [325 ILCS 5] ~~immediately~~.

l) The licensee and each ~~Each~~ staff person shall sign a statement prescribed by the Department acknowledging his or her status as a Neglected Child Reporting Act or neglect under the Abused and Neglected Child Reporting Act and acknowledging he or she has knowledge and understanding of the reporting requirements under that Act. Such statement shall be signed and dated by the staff person prior to employment, and shall be maintained by the licensee.

m) The supervising agency shall be notified immediately by telephone, and in writing within one week, if either of the following situations involving children occurs at the facility:

- 1) Accident or injury resulting in death or requiring emergency medical care; or
  - 2) Notice is received of legal action against the facility.
- n) The facility shall promptly report any known or suspected case or carrier of communicable disease to the supervising agency and to local health authorities, and shall comply with the Illinois Department of

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Public Health's rules for the Control of Communicable Diseases (77 Ill. Adm. Code 690).

- o) The supervising agency shall be notified immediately by telephone and in writing within one week, of fires or other incidents resulting in structural damage to the day care home. A supervisory visit will be conducted by the supervising agency to determine the safety of the licensed premises in conformance with the other provisions of this Part.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)



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1) Heading of the Part: Licensing Standards for Group Day Care Homes2) Code Citation: 89 III. Adm. Code 4083) Section Numbers:Proposed Actions

408.5 Amend

408.10 Amend

408.15 Amend

408.25 Amend

408.30 Amend

408.35 Amend

408.45 Amend

408.50 Amend

408.65 Amend

408.70 Amend

408.75 Amend

408.80 Amend

408.90 Amend

408.105 Amend

408.115 Amend

APPENDIX D

APPENDIX F

New

4) Statutory Authority: Child Care Act of 1969 [225 ILCS 10].5) A Complete Description of the Subjects and Issues Involved: The Department is amending Part 408, Licensing Standards for Group Day Care Homes, as follows:

408.5, Definitions - Definitions were added for "accredited college or university", "adult", "applicant", "approved smoke detector", "cot", "CANPS", "disinfect", "family home" or "family residence", "guardian", "license applicant", and "license study".

408.10 - Language was added to clarify what constitutes a complete application for license.

408.15 - Changes were made to be consistent with the Illinois Administrative Procedure Act [5 ILCS 100/10-65] regarding timely and sufficient application for renewal of license.

408.25 - Language was added to require the applicant to be certified in the Heimlich maneuver, first aid, and infant/child cardiopulmonary resuscitation and to submit the required medical report to the Department before the permit will be issued.

408.30 - Several items were added or changed to increase safety in the group day care home:

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Items required in the first aid kit were increased to include scissors, syrup of ipecac, thermometer, and non-permeable gloves.

Facilities that use a wood-burning stove or fireplace must provide a written plan of how it will be used and what actions will be taken to ensure the children's safety when in use.

The list of hazardous items that must be inaccessible to children has been expanded.

The height of the fence required around swimming pools has been increased from 3 1/2 feet to 5 feet.

Hot tubs are required to have locking covers or otherwise be inaccessible to children.

Additional restrictions have been added to the use of chemicals for insect and rodent control.

Monkeys, ferrets, turtles, iguanas, birds of the parrot family or any wild or dangerous animal are prohibited in areas accessible to children.

Safety requirements have been added for outdoor play equipment.

The use of trampolines by children in care is prohibited.

408.35 - Language was added to allow entities approved by the Department to provide the certification for first-aid, the Heimlich maneuver and CPR. Clarification was added that CPR must be infant/child CPR. A requirement was added that when children are in night care, the caregiver may sleep while children are present if the caregiver and the children sleep on the same floor of the residence.

408.45 - Clarification was added that one year of credit is equivalent to 30 semester hours or 45 quarter hours for educational credit. A change was made to allow additional credentialing programs to be approved if they are in compliance with the new Appendix F.

408.50 - Language was added to require a valid drivers license for the classification of vehicle being used to transport children.

408.65 - A new care grouping was added to allow a caregiver to provide care for up to eight children when no more than six children are under the age of five, of which up to two children may be under 30 months of age. A change was also made to allow a caregiver to care for up to eight children between the ages of 3 and 6 years of age without an assistant.

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408.70 - Language was added to allow a physician to determine whether a tuberculin skin test is necessary. Also, language was added to clarify that lead poisoning screening or assessment is only required for children from one to six years of age. Hepatitis B was added to the list of required immunizations. The requirement that there be at least two feet of space on all sides between beds, cribs or cots was added.

408.75 - Language was added to prohibit children less than 24 months of age from being removed from the group for the purpose of gaining control.

408.80 - Children under age two are to be served whole milk unless a physician has requested low-fat milk. Restrictions were placed on serving foods that may cause choking.

408.90 - Language was added to require that persons transporting children have a valid driver's license for the vehicle classification being used.

408.105 - Language was added to clarify that infants are to be held during feeding and to prohibit warming bottles in a microwave. The germicidal solution was changed to conform to recommendations of the Centers for Disease Control and Prevention. The requirement for mobiles in cribs was removed due to danger of entanglement. Language was added to prohibit the use of walkers.

408.115 - Requirements were added for sleeping arrangements during the provision of night care, and lighting requirements were added to illuminate hallways leading to stairs and/or the restroom.

Appendix D - Added developmentally appropriate toys and supplies to the toddler list.

Appendix F - This appendix identifies the criteria the Department will use to accept an early childhood teacher credentialing program to meet the caregiver qualifications.

Other grammar and style changes have also been made.

6) Will this proposed amendment replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other amendments pending on this Part? Yes

Action Number Proposed Action Illinois Register Citation  
408.85 Amend 3/31/2000 24 Ill Reg. 5047

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10) Statement of Statewide Policy Objectives: This rulemaking neither creates nor expands a State mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. Comments should be submitted to:

Jeff E. Osowski  
Office of Child and Family Policy  
Department of Children and Family Services  
406 E. Monroe, Station #65  
Springfield, Illinois 62703-1498  
Telephone: (217) 524-1983  
TDD: (217) 524-3715  
E-Mail: cfpolicy@dcfs.state.il.us

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

Public hearings have been scheduled on these proposed amendments. Persons are asked to limit their testimony to ten minutes per person. If translation or interpretation services are needed to enable participation in the public hearings, please contact the Office of Child and Family Policy as indicated above. Public hearings are scheduled as follows:

Rockford	Bloomington
October 21, 2000	September 30, 2000
1:00 PM - 3:00 PM	10:00 AM - 12:30 PM
YWCA Conference Room	Indian Lakes Resort
4990 East State Street	250 West Schick Road
Rockford, IL	Bloomington, IL
	(at the Annual Professional Family
	Child Care Providers Conference)

Springfield	Champaign
October 28, 2000	October 28, 2000
10:00 AM - Noon	3:00 PM - 5:00 PM
DCFS Conference Room	Public Library Auditorium
521 South 11th Street	505 South Randolph Street
Springfield, IL	Champaign, IL

Ina	Joliet
October 14, 2000	October 7, 2000
2:00 PM - 4:00 PM	1:00 PM - 3:00 PM
Rend Lake College Student Center	Joliet Junior College
468 N. Ken Gray Parkway	1215 Houbolt Road

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Ina, IL  
Building D, Room 202  
Joliet, IL

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: This rulemaking affects group day care homes licensed by the Department.

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 2000

The full text of the proposed rulemaking begins on the next page.

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TITLE 89: SOCIAL SERVICES  
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

## PART 408

## LICENSING STANDARDS FOR GROUP DAY CARE HOMES

Section	Purpose
408.1	Definitions
408.5	Effective Date of Standards (Repealed)
408.7	Application for License
408.10	Applications for Renewal of License
408.15	Provisions Pertaining to the License
408.20	Provisions Pertaining to Permits
408.25	General Requirements for Group Day Care Homes
408.30	General Requirements for Group Day Care Home Family Background Checks
408.35	Background Checks
408.40	Caregivers
408.45	Child Care Assistants
408.50	Substitute(s)
408.55	Admission and Discharge Procedures
408.60	Number and Ages of Children Served
408.65	Health and Medical Care
408.70	Discipline of Children
408.75	Nutrition and Meals
408.80	Program
408.85	Transportation of Children
408.90	Swimming
408.95	Children with Special Needs
408.100	Children Under 30 Months of Age
408.105	School Age Children
408.110	Night Care
408.115	Records and Reports
408.120	Confidentiality of Records and Information
408.125	Cooperation with the Department
408.130	Severability of This Part
408.135	
APPENDIX A	Meal Pattern Chart for Children 0 to 12 Months of Age
APPENDIX B	Meal Pattern Chart for Children Over One Year of Age
APPENDIX C	Minimum Equipment and Supplies - Preschool Programs
APPENDIX D	Minimum Equipment and Supplies - Infant and Toddler Programs
APPENDIX E	Background of Abuse, Neglect, or Criminal History Which May Prevent Licensure or Employment in a Group Day Care Home
APPENDIX F	Early Childhood Teacher Credentialing Programs

AUTHORITY: Implementing and authorized by the Child Care Act of 1969 [225 ILCS 10], Section 3 of the Abused and Neglected Child Reporting Act [325 ILCS 5/3].

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and Sections 1 and 2 of the Facilities Requiring Smoke Detectors Act [425 ILCS 10/1 and 2].

SOURCE: Adopted at 13 Ill. Reg. 14828, effective October 1, 1989; emergency amendment at 15 Ill. Reg. 45104, effective October 8, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 8950, effective May 30, 1992; amended at 18 Ill. Reg. 5540, effective April 1, 1994; amended at 19 Ill. Reg. 2784, effective February 23, 1995; amended at 21 Ill. Reg. 4563, effective April 1, 1997; emergency amendment at 24 Ill. Reg. 4212, effective March 1, 2000, for a maximum of 150 days; emergency amendment July 28, 2000; amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 408.5 Definitions

"Access to children" means an ~~a child-care facility~~ employee's job duties require that the employee be present in a licensed child care facility during the hours that children are present in the facility. In addition, any person who is permitted to be alone outside the visual or auditory supervision of facility staff with children receiving care in a licensed child care facility is subject to the background check requirements of this Part.

"Accredited college or university" means a college or university that has been accredited by a regional or national institutional accrediting association recognized by the U.S. Department of Education or a non-governmental recognition counterpart.

~~"Accredited" means accredited by--the--North--Central--Association--of Schools--and--Colleges--its--regional--counterparts--or--the National Accreditation Council;~~

"Adult" means a person ~~eighteen-~~ 18 years of age or older.

"Applicant" means a person living in the residence to be licensed who will be the primary caregiver in the group day care home.

"Approved smoke detector" or "detector" means a smoke detector of the ionization or photoelectric type which complies with all the requirements of the rules and regulations of the Illinois State Fire Marshal. (Section 2 of the Facilities Requiring Smoke Detectors Act [425 ILCS 10/2])

"Assistant" or "child care assistant" means a person (whether a volunteer or an employee) who assists a licensed home caregiver in the operation of the group day care home.

"Attendance" means the total number of children under the age of 12 present at any one time.

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"Authorized representative of the Department" means the licensing representative or any person acting on behalf of the Director of the Department.

"Background check" means:

- a criminal history check via fingerprints of persons age 18 and over that ~~which~~ are submitted to the Illinois State Police and the Federal Bureau of Investigation (FBI) for comparison to their criminal history records, as appropriate ~~or via a DBAGS-check-of persons-ages-13-through-17; and~~
- a check of the Child Abuse and Neglect Tracking System (CANTS) and other state child protection systems, as appropriate, to determine whether an individual is currently alleged or has been indicated as a perpetrator of child abuse or neglect; and
- a check of the Statewide Child Sex Offender Registry.

"CANTS" means the Child Abuse and Neglect Tracking System operated and maintained by the Department.

"Caregiver" means the individual directly responsible for child care.

"Children with special needs" means children who exhibit one or more of the following characteristics, which is confirmed by clinical evaluation:

"Visual impairment": the child's visual impairment is such that development to full his-or-her potential without special services cannot be achieved.

"Hearing impairment": the child's residual hearing is not sufficient to enable him or her to understand the spoken word and to develop language, thus causing extreme deprivation in learning and communication, or a hearing loss is exhibited that which prevents full awareness of environmental sounds and spoken language, limiting normal language acquisition and learning.

"Physical or health impairment": the child exhibits a physical or health impairment that which requires adaptation of the physical plant.

"Speech and/or language impairment": the child exhibits deviations of speech and/or language processes that which are outside the range of acceptable variation within a given environment and which prevent full social development.



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**"Learning disability":** the child exhibits one or more deficits in the essential processes of perception, conceptualization, language, memory, attention, impulse control or motor function.

**"Behavioral disability":** the child exhibits an effective disability and/or maladaptive behavior that which significantly interferes with learning and/or social functioning.

**"Mental impairment":** the child's intellectual development, mental capacity, and/or adaptive behavior are markedly delayed. Such mental impairment may be mild, moderate, severe or profound.

**"Conviction"** means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. (Section 2-5 of the Criminal Code of 1961 (720 ILCS 5/2-5))

**"Cot"** means a comfortable, safety and child-sized alternative bed made of resilient, fire retardant, sanitizable fabric that is on legs or otherwise above the floor and can be stored to allow for air flow.

**"Department"** means the Illinois Department of Children and Family Services. (Section 2.18 of the Child Care Act of 1969 [225 ILCS 10/2-18])

**"Discipline"** means the process of helping children **children** to develop inner controls so that they can manage their own behavior in socially acceptable ways.

**"Disinfect"** means to eliminate virtually all germs from inanimate surfaces through the use of chemicals or physical agents (e.g., heat). In the child care environment, a solution of 1/4 cup household liquid chlorine bleach added to one gallon of water (or one tablespoon bleach to one quart of water) and prepared fresh daily is an effective disinfectant for environmental surfaces and other objects.

**"Family home"** or "family residence" means the location or portion of a location where the applicant and his or her family reside. It does not include other structures that are separate from the home but may be considered part of the overall premises, such as adjacent apartments, unattached garages, and other unattached buildings.

**"Grade-level"** means not more than four feet above or four feet below ground level.

**"Ground level"** means that a child can step directly from the exit onto the ground, a sidewalk, a patio, or any other surface that which is

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not above or below the ground.

**"Group day care home"** means a family home which receives more than 3 up to 16 children for less than 24 hours per day. The number counted includes the family's natural, foster, or adopted children and all other persons under the age of 12. (Section 2.20 of the Child Care Act of 1969)

**"Guardian"** means the guardian of the person of a minor. (Section 2.03 of the Child Care Act of 1969 [225 ILCS 10/2-03])

**"Initial background check"** means fingerprints have been obtained for a criminal history check, and the individual has cleared a check of the Child Abuse and Neglect Tracking System and the Statewide Child Sex Offender Registry.

**"License"** means a document issued by the Department of Children and Family Services that which authorizes child care facilities to operate in accordance with applicable standards and the provisions of the Child Care Act of 1969.

**"License applicant"**, for purposes of background checks, means the operator or persons with direct responsibility for daily operation of the facility to be licensed. (Section 4.4 of the Child Care Act of 1969)

**"License study"** means the review of an application for license, on-site visits **visits**, interviews, and the collection and review of supporting documents to determine compliance with the Child Care Act of 1969 and the standards prescribed by this Part.

**"Licensed capacity"** means the maximum number of day-care children receiving child care under age 12 permitted in the group day care home at any one time. Children age 12 and over on the premises are not considered in determining license capacity.

**"Licensing representative"** means a person persons authorized by the Department under Section 5 of the Child Care Act of 1969 to examine facilities for licensure.

**"Member of the household"** means a person who resides in a family home as evidenced by factors including, but not limited to, maintaining clothing and personal effects at the household address, or receiving mail at the household address, or using identification with the household address.

**"Minor traffic violation"** means a traffic violation under the laws of the State of Illinois or any municipal authority therein or another

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state or municipal authority that which is punishable solely as a petty offense. (See Section 6-601 of the Illinois Driver Licensing Law [625 ILCS 5/6-601].)

"Parents Parent(s)", as used in this Part, means those persons person(s) assuming legal responsibility for care and protection of the child on a 24-hour basis; includes guardian or legal custodian.

"Permit" means a one-time only document issued by the Department of Children and Family Services for a six-month period to allow the individuals individual(s) to become eligible for a license.

"Persons subject to background checks" means:

- the operators operator(s) of the child care facility; and
- all current and conditional employees of the child care facility; and
- any person who is used to replace or supplement staff; and
- any person who has access to children, as defined in this Section.

If the child care facility operates in a family home, the license applicant(s) and all members of the household age 13 and over are subject to background checks, as appropriate, even if these members of the household are not usually present in the home during the hours the child care facility is in operation.

"Physician" means a person licensed to practice medicine in the State of Illinois or a contiguous state.

"Premises" means the location of the group day care home wherein the family resides and includes the attached yard, garage, and any other outbuildings.

"Program" means all activities provided for the children child(ren) during their hours of attendance in the group day care home.

"Protected exit from a basement" means an exit that which is separated from the remainder of the group day care home by barriers (such as walls, floors, or solid doors) providing one-hour fire resistance. The separation must be designed to limit the spread of fire and restrict the movement of smoke.

"Resource personnel" means physicians, nurses, psychologists, social workers, speech therapists, physical and occupational therapists,

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educators and other technical and professional persons whose expertise is utilized in providing specialized services to children child(ren) with special needs.

"School age" means children child(ren) 5 six to 12 twelve years of age and 5 five year olds who are in full-day kindergarten.

"Special use areas" means areas of the home that which may not be included in the measurement of the area used for child care. Special use areas include, but are not limited to, laundry rooms, furnace rooms, bathrooms, hazardous areas, and areas off-limits to children.

"Swimming pool" means any natural or artificial basin of water intended for public swimming or recreational bathing which exceeds two feet-six-inches to 2'6" in depth as specified in the Illinois Swimming Pool and Bathing Beach Act and Code (77 Ill. Adm. Code 820). The term includes bathing beaches and pools at private clubs, health clubs, or at private residences when used for children enrolled in a child care facility.

"Wading pool" means any natural or artificial basin of water less than two-feet-six-inches to 2'6" in depth that which is intended for recreational bathing, water play or similar activity. The term includes recessed areas less than 2'6" two-feet-six-inches in depth in swimming pools that which are designated primarily for children.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 408.10 Application For License

- a) A complete application shall be Application-for-license-as-a-group-day care-home-shall-be-completed--signed-by--the-group-day-care-home applicant(s)--and filed with the Department of Children and Family Services on forms prescribed and provided by the Department.
- b) A complete application shall include: Applicant(s)-shall-provide-the

## Department:

- 1) a completed, signed and dated Application for Home License; it the names--addresses-and-telephone-numbers-of-at-least-three--(3) adults--not-related-to-them-who-can-at-test-to-their-character-and suitability-to-provide-child-care;
- 2) a list of persons who will be working in the group day care home, including any substitutes and assistants, and members of the household age 13 and over; and
- 3) completed complete, signed and dated authorizations to conduct the background check for the applicant, each employee or person used to replace or supplement staff, and each member of the household age 13 and over; and

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- 4) a completed, signed and dated Family Home Information form;
  - 5) a completed, signed and dated Child Support Certification form;
  - 6) documentation that the applicant meets the qualifications for a caregiver in Section 408.45(e); and
  - 7) the names, addresses and telephone numbers of at least 3 adults not related to the applicants who can attest to their character and suitability to provide child care.
- c) The license shall be issued when the standards prescribed by this Part have been met. Upon receipt of an application for a license, the Department shall conduct a license study in order to determine that the group day care home meets licensing standards. The licensing study shall be in writing and shall be reviewed and signed by the licensing supervisor and the licensing representative performing the study. The applicant shall receive a copy of the license study upon written request and payment of copying costs.
- d) A new application shall be filed when any of the following occurs:
- 1) When an application for a license has been withdrawn, and the applicant or licensee seeks to reapply; **or**
  - 2) When there is a change in the name of the licensee or the location **address** of the group day care home; **or**
  - 3) When there is a change in the status of joint licensees, such as separation, divorce or death; **or**
  - 4) Not sooner than 12 months after the Department has revoked or refused to renew a license and a new license is sought.
- e) Approval of the Department is required to effect changes in the license capacity, the area of the home used for child care, or the ages of children served in conformance with the requirements of Section 408.65.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 408.15 Application for Renewal of License

- a) Application forms for license renewal shall be mailed to group day care home licensees by the Department three months prior to the expiration date of the license.
- b) The completed application shall be signed by the licensees ~~licensee(s)~~ and submitted to the Department no later than 30 days from the date mailed to licensees ~~licensee(s)~~ to be considered timely and sufficient.
- c) When a licensed group day care home seeks to change its name or location **address**, a new application reflecting the changes ~~change(s)~~ must be completed, signed by the licensees ~~licensee(s)~~ and submitted to the Department 30 days prior to the effective date of the changes ~~change(s)~~ for the application to be considered timely and sufficient.
- d) When a licensee has made timely and sufficient application for renewal

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of a license or a new license with reference to any activity of a continuing nature and the Department fails to render a decision on the application for renewal of the license prior to the expiration date of the license, the existing license shall continue in full force and effect for up-to-thirty(30)-days until the final Department decision has been made. Upon a showing of good cause by the licensee or the Department, the Department shall further extend the period in which such decision must be made in individual cases for up-to-30-days (Section 5 of the Act). Good cause includes but is not limited to shortages of staff or the absence of the licensee(s) from the group day care home; both the request for the second extension and the Department's decision on that request shall be in writing.

e) Upon receipt of the application for license renewal, the Department shall conduct a license study in order to determine that the group day care home continues to meet licensing standards. The licensing study shall be in writing and shall be reviewed and signed by the licensing supervisor and the licensing representative performing the study. The licensees ~~licensee(s)~~ shall receive a copy of the license study upon written request and payment of copying costs.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 408.25 Provisions Pertaining to Permits

- a) A permit shall not be issued until:
- 1) The application for license has been completed and signed by the applicants ~~applicant(s)~~ and submitted to the Department;
  - 2) The background checks required by Section 408.40 have been completed and the results of the background check have been received for the operator of the group day care home;
  - 3) Character references have been requested regarding the primary caregivers ~~caregiver(s)~~, and at least 2 two favorable references have been received;
  - 4) Medical reports as required in Section 408.35(d) have been received by the Department for all caregivers and assistants;
  - 5) The applicant who is the primary caretaker has been certified in first-aid, the Heimlich maneuver, and infant/child cardiopulmonary resuscitation (CPR) in accordance with Section 408.35(c);
- 6) A personal visit to the home by a licensing representative has been completed. The purpose of this visit is to determine compliance with all the licensing requirements except the requirements for remaining character references. ~~reference(s)~~ medical examination reports, and well water tests compliance ~~that~~ which may be complied with within the 6 six month period covered by the permit. However, when well water tests are required, applicants must agree to boil all drinking and cooking water and

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to provide only bottled water for children under 15 months of age ~~infants~~ until the test results are received:

- 75) Proof of public liability insurance as required by Section 408.35(h) (such proof may consist of, but is not limited to, a copy of an insurance policy, binder or certificate; or a letter from the insurance carrier);

86) Plan developed for emergency medical care as required by Section 408.70;

- 97) Furnishings and equipment have been acquired for the number of children to be served during the 6 ~~six~~ month permit period in accordance with Appendix C and D;

100) Medical reports and character references are on file ~~for~~ employed staff at the home ~~for-employed staff~~; and

- 119) A written plan has been submitted to the licensing representative that ~~which~~ indicates that requirements for a license shall be met within the 6 ~~six~~ month permit period.

b) A permit shall not be issued retroactively.

- c) A permit shall not be transferred to another person or other legal entity.

d) A permit shall not be valid for a name or address different from the name and address shown on the issued permit.

- e) A permit shall not be renewable.

f) A current permit shall be available in the group day care home at all times while the home is operating under a permit.

- g) A license shall be issued at any time within the 6 ~~six~~ month period covered by the permit provided that the group day care home achieves and maintains compliance with the Department's licensing standards.

h) The group day care home shall adhere to the provisions or restriction: specified on the permit.

- i) There shall be no fee or charge for the permit.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 408.30 General Requirements for Group Day Care Homes

- a) The physical facilities of the home, both indoors and outdoors, shall meet the following requirements for safety to children ~~child(ren)~~.

1) The home shall have a first aid kit consisting of adhesive bandages ~~band-aids~~, scissors, ~~asvup~~ of ~~ipocac~~ non-permeable gloves, thermometer, sterile gauze pads, adhesive tape, tweezers, first aid cream and mild soap.

- 2) The kitchen shall be equipped with an operable fire extinguisher rated for Class A, B, and C fires and a flashlight in working order.

3) Electrical outlets that are within reach of children ~~child(ren)~~ under 5 ~~five~~ years of age shall have protective coverings. There shall be no exposed or uninsulated wiring.

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- 4) The home shall be equipped with a minimum of one approved smoke detector in operating condition on every floor level, including basements and occupied attics. A smoke detector in operating condition shall be within fifteen-~~15~~ feet of rooms where children ~~child(ren)~~ nap or sleep. The detector shall be installed on the ceiling and at least 6 inches from any wall, or on a wall located between 4 and 6 inches from the ceiling. In addition, there shall be at least one detector at the beginning and end of each separate corridor or hallway 200 feet or more in length in any occupied story. Further, in any facility constructed after December 31, 1987, or which undergoes substantial remodeling of its structure or wiring system after that date, the smoke detectors ~~detectors~~ shall be permanently wired into the structure's AC power line, and, if more than one detector is required to be installed, the detectors shall be wired so that the activation of one detector will activate all the detectors in the facility unit ~~Section-2-of-the-facilities~~ ~~Requiring-Smoke-Detectors-Act-(485-1468-1073)~~. For purposes of this subsection (a)(4) ~~rise~~, "substantial remodeling" represents more than 15 fifteen percent of the replacement cost of the group day care home. Compliance with any applicable federal, State or local law, rule or building code which requires the installation and maintenance of smoke detectors in a manner different from this Section, but providing a level of safety for occupants which is equal to or greater than that provided by this Section, shall be deemed to be compliance with this Section. (Section 2. of the Facilities Requiring Smoke Detectors Act (425 ILCS 10/21))
- 5) Fixed space heaters, fireplaces, radiators, and other heating sources in areas occupied by children shall be separated by partitions or a sturdy barrier to prevent contact. Portable space heaters may not be used in a group day care home during the hours that child ~~day~~ care is provided.
- 6) A facility in which a wood-burning stove or fireplace has been installed and which is used during the hours that child ~~day~~ care is provided shall provide a written plan of how the stove or fireplace will be used and what actions will be taken to ensure the children's safety when in use. ~~furnish--a-written--statement~~ ~~certifying--its--safety--from--the--Office--of--the--State--Fire-Marshal~~ ~~or--social--agencies--authorized--by--the--Office--of--the--State--Fire-Marshal--to--conduct--inspections--on--its--behalf--Such--statement~~ ~~shall--be--provided--upon--initial--application--for--license--and--subsequent--applications--for--license--renewal~~

- 7) In one and two-family dwellings, children under 30 months of age shall be housed and cared for on the second floor or below. In other residential buildings, children under 30 months of age shall be housed and cared for only in areas that ~~which~~ the Office of the State Fire Marshal or local agencies authorized by the Office of the State Fire Marshal to conduct inspections on its



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behalf state **states**, in writing, that the combination of remote exits, fire detection, fire suppression, and/or automatic sprinkler system render the residence safe for the care of infants and toddlers.

8) No area accessible only by a ladder or folding stairs or through a trap door shall be used for sleeping or napping.

9) When the basement area may be used for child care, 2 **two** exits shall be provided. At least one exit shall be a basement exit via a door directly to the outside (without traversing any other level of the home) or a protected exit from a basement via a door or stairway that **which** allows unobstructed travel directly to the outside of the building at street or ground level. The stairway may not be more than **8 eight** feet high. A second exit may be a window operable from the inside without the use of tools **that which** provides a clear opening not less than 20 inches in width, 24 inches in height, and 5.7 square feet in area. If the window is used as a second exit, the bottom of the window opening shall be **no** more than 44 inches above the floor. When the bottom of the window opening used as a second exit is more than 24 inches from the floor, there shall be a permanently affixed, sturdy ramp or stairs located below the window to allow speedy access in the event of an emergency. If the basement area does not meet these existing requirements, the basement may be used for child **day** care only with the prior written approval of the Office of the State Fire Marshal or local agencies authorized by the Office of the State Fire Marshal to conduct inspections on its behalf. **Basements which have been approved for day-care use in currently licensed group-day care homes are permitted one-year from the effective date of these amendments to comply with these basement-exiting requirements:**

- 10) All walls and surfaces shall be free from chipped or peeling paint.
- 11) Walls of rooms that children use shall be maintained free of lead paint.
- 12) Furniture and equipment shall be kept in safe repair.
- 13) **First aid** ~~First-aid~~ supplies, medication, cleaning materials, poisons, sharp scissors, plastic bags, knives, cigarettes, matches, lighters, flammable liquids, and other hazardous materials shall be stored in places inaccessible to children. Hazardous items for infants and toddlers also include items that can cause choking, including but not limited to: coins, balloons, safety pins, marbles, Styrofoam (trademark) and similar products, and sponge, soft rubber or soft plastic toys.
- 14) Tools and gardening equipment shall be stored in locked cabinets, if possible, or in places inaccessible to all children.
- 15) Exit doors shall be kept clear of equipment and debris at all times.
- 16) There shall be an operable telephone available on the premises of

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the licensee. The number of the Poison Control Center (1-800-342-5969) and other emergency numbers shall be posted in an area that is readily available in an emergency.

b) The licensee shall identify those areas in the home used for child care. The identified areas minus any special use areas shall be measured to calculate the square footage available for child care. There shall be:

- 1) A minimum of 35 square feet of floor space for each child in care;<sup>2</sup> and
- 2) An additional 20 square feet of floor space for each child under 30 months of age when the play area is the same as the sleep area. However, if portable bedding is used for napping, then removed, the licensing representative shall approve the use of only 35 square feet of space for each child if the applicant/licensee has adequate storage space for the bedding materials and the bedding materials are removed before and after naptime.
- c) No person may smoke tobacco in any area of the group day care home in which day care services are being provided to children, while those children are present on the premises. In addition, no person may smoke tobacco while providing transportation, in either an open or enclosed vehicle, to children who are receiving child day care services. **Nothing in this subsection prohibits smoking in the home in the presence of a person's own children or in the presence of children to whom day care services are not then being provided.** [225 ILCS 10/5.5] Indoor space shall consist of a clean, comfortable environment for children.
- d) The group day care home shall be well-ventilated, free from observable hazards, properly lighted and heated, and free of fire hazards.
- 2) The dwelling shall be kept clean, sanitary, and in good repair.
- 3) There shall be provision for isolating a child who becomes ill or who is suspected of having a communicable, infectious or contagious disease.
- 4) When used for child care, basement floors shall have protective covering such as, but not limited to, tile, carpet, linoleum. Paint or sealer alone is not acceptable as a protective covering.
- 5) When children under 30 months of age are in care, stairs leading to second levels, attics or basements shall be fitted with a sturdy gate or other barrier to prevent the children's **child(ren)'s** access to the stairs without adult supervision.
- e) The kitchen shall be clean, equipped for the preservation, storage, preparation and serving of food, and **shall be** reasonably safe from hazards.
- f) Garbage and refuse containers used to discard diapering supplies, food products or disposable meal service supplies in areas for child care shall be disinfected **cleaned** daily **with a germicidal solution** unless plastic liners are used and disposed of daily.

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- g) A safe and sanitary water supply shall be maintained. If a private water supply is used instead of an approved public water supply, the applicant shall supply written records of current test results indicating the water supply is safe for drinking. New test results must be provided prior to relicensing. If nitrate content exceeds 10 parts per million, bottled water must be used for children under 15 months of age infants.
- h) Hot and cold running water shall be provided.
- i) The group day care home shall provide one toilet for each ~~ten~~ 10 persons or portion thereof who are present during the hours the group day care home is in operation. These ~~10~~ ten persons include caregivers ~~caregivers~~, child care assistants ~~assistants~~, members ~~members~~ of the household and children other than those under 30 months of age for whom a potty chair is provided.
- j) There shall be a minimum of 75 square feet of outdoor space per child for the total number of children using the area at any one time. At least 25% of the required space shall be on the premises of the group day care home. The remainder may be a public park, playground or other outdoor recreation area within walking distance (1000 one thousand feet) of the group day care home provided the caregiver or an adult assistant accompanies children ~~children~~ to this outdoor area.
- k) There shall be safe outdoor space for active play.
- 1) Space shall be provided for play in yards, nearby parks or playgrounds under adult supervision.
  - 2) Space shall be protected by physical means or by adult caregiver supervision against all hazards such as pools, ponds, standing water, traffic, and construction. Further, outdoor space shall be partitioned or supervised in such a manner that young children ~~children~~ are not endangered by the activities of older children ~~children~~.
  - 3) Play areas shall be well drained and safely maintained.
  - 4) All pieces of outdoor equipment used by children 5 years of age and younger shall meet the following standards to guard against entrapment or situations that may cause strangulation.
    - A) Openings in exercise rings shall be smaller than 4 1/2 inches or larger than 9 inches in diameter.
    - B) There shall be no openings in a play structure with a dimension between 3 1/2 inches and 9 inches (except for exercise rings). Side railings, stairs and other locations that a child might slip or climb through shall be checked for appropriate dimensions.
    - C) Distances between vertical slats or poles, where used, must be 3 1/2 inches or less (to prevent head entrapment).
    - D) No opening shall form an angle of less than 55° unless one leg of the angle is horizontal or slopes downward.
    - E) No opening shall be between 3/8 inch and one inch in size (to prevent finger entrapment).
  - 5) The use of a trampoline by children in care is prohibited. If

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- there is a trampoline on the premises of the home, it must be stored in a way that makes it inaccessible to children in care.
- 64) In-ground ~~or--above-ground~~ swimming pools located in areas accessible to children shall be fenced. The fence shall be at least 5 3-1/2 feet in height and secured by a locked gate. Group day care homes that are licensed as of the effective date of this Section have one year from the effective date to comply with the fence height requirement.
- 7) All above-ground pools shall have non-climbable sidewalls that are at least 3 feet high or shall be enclosed with a 5 foot fence that is at least 36 inches away from the pool's side wall and secured with a locked gate. When the pool is not in use, steps shall be removed from the pool or otherwise protected to insure the pool cannot be accessed. Group day care homes that are licensed as of the effective date of this Section have one year from the effective date to install a 5 foot fence, if necessary to comply with this requirement.
- 85) Portable wading pools shall be emptied daily and disinfected ~~cleaned-with-a-germicidal-solution~~ before being air-dried.
- 9) All hot tubs shall have securely locked covers or otherwise be inaccessible to children.
- 106) If public parks or playgrounds are used for play, the children ~~children~~ shall be closely supervised by the caregiver or adult assistant during play and while traveling to and from the area.
- 117) Supervision shall be provided during outdoor play by caregivers who meet the requirements of Section 408.45 of this Part below.
- 1) A caregiver who relies upon outdoor space shared with other residents in a multiple family dwelling shall have a written agreement with the other residents ~~residents~~ or the owners ~~owners~~ of the outdoor area authorizing the use of the space by the group day care home and the children cared for.
- m) Insect and rodent control shall be maintained.
  - 1) All outside doors except those with operable self-closing devices, operable windows, and other openings used for ventilation shall be screened.
  - 2) Chemicals for insect and rodent control shall be applied in minimum amounts and shall not be used ~~applied-in-areas-accessible-to-children~~ when children are present. Over-the-counter products may be used only according to package instructions. Commercial chemicals, if used, shall be applied by a licensed pest control operator and shall meet all standards of the Department of Public Health (Structural Pest Control Code, 77 Ill. Adm. Code 830). A record of any pesticides used shall be maintained.
- n) Healthy household pets that ~~which~~ present no danger to children are permitted.
  - 1) A licensed veterinarian shall certify that the animals are free of diseases that could endanger the children's ~~children's~~ health and that dogs and cats have been inoculated for rabies.

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- 2) If certification is not available, animals shall be confined at all times in an area inaccessible to children child(ren).
- 3) There shall be careful supervision of children child(ren) who are permitted to handle and care for the animals.
- 4) Immediate treatment shall be available to any child who is bitten or scratched by an animal.
- 5) The presence of monkeys, ferrets, turtles, iguanas, psittacine birds (birds of the parrot family) or any wild or dangerous animal is prohibited in areas accessible to children during the hours the group day care home is in operation.
- o) The Department shall request that the Illinois Department of Public Health or a local health department authorized by it and/or the Office of the State Fire Marshal or the local fire department authorized by it inspect the group day care home and its premises. Whenever the Department has reason to believe that conditions in the home or its premises pose potential health or safety hazards hazards to the children child(ren) cared for in the home.
- p) There shall be written plans for immediate evacuation in case of emergency. The evacuation plan shall identify the exits from each area used for child care and shall specify the evacuation route. Fire drills shall be conducted monthly for the purpose of removing children from the home as quickly as possible. Tornado drills shall be conducted monthly for the purpose of getting children accustomed to moving to a position of safety in event of a tornado. Records shall be maintained of the dates and times required drills are conducted. The alphabetic card file required by Section subsection 408.120(c) shall accompany the caregiver during the drills.
- q) In the event of a fire, the group day care home shall be evacuated immediately and the children's safety insured before calling the fire department or attempting to combat the fire.
- r) Handguns are prohibited on the premises of the group day care home except in the possession of peace officers or other adults who must possess a handgun as a condition of employment and who reside in the group day care home.
- s) Any firearm, other than a handgun in the possession of a peace officer or other person as provided in subsection (r) above, shall be kept in a disassembled state, without ammunition, in locked storage in a closet, cabinet, or other locked storage facility inaccessible to children. Ammunition for such firearms firearms shall be kept in locked storage separate from that of the disassembled firearms firearms, inaccessible to children.
- t) The operator of the group home shall notify the parents parent(s) or guardian of any child accepted for care that firearms firearms and ammunition are stored on the premises. The operator shall also notify the parents parent(s) or guardian that such firearms and ammunition are in locked storage inaccessible to children. Such notification need not disclose the location where the firearms and ammunition are stored. (Section 7 of the Act);

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- u) A group day care home operator relying upon a cooperative or lending arrangement to meet the equipment requirements of this Part shall provide a copy of a written agreement specifying which equipment required by this Part is covered by the agreement. Further, the operator shall demonstrate to the satisfaction of the Department that the equipment covered by the agreement is both available and utilized by the group day care home as required by this Part.
  - v) Operation of other business on the premises must not interfere with the care of children.
  - w) A group day care home may not house bedridden or chronically ill persons except by permission of the Department. The Department shall grant such permission unless the person has a reportable contagious or communicable disease or requires care that which adversely affects the ability of the caregiver to supervise children child(ren).
- (Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)
- ### Section 408.35 General Requirements for Group Day Care Home Family
- a) Each person subject to background checks, as defined in Section 408.5, shall authorize the background check required by 89 Ill. Adm. Code 3857 [Background Checks] and be cleared in accordance with the requirements of Part 385.
  - b) When notified by the Department that an employee, member of the household or other person in frequent contact with children at the facility is the subject of a formal investigation for child abuse or neglect pursuant to the Abused and Neglected Child Reporting Act (325 ILCS 5), the licensee shall take reasonable action necessary to insure that the employee or other person is restricted during the pendency of the investigation from contact with children whose care has been entrusted to the facility. Such reasonable action includes, but is not limited to, barring or removing the person from the facility, or assuring that another adult is always present when the subject of the investigation is in contact with children child(ren).
  - c) Members of the household who have contact with the children child(ren) in care shall treat them with respect, courtesy, and patience.
  - d) The caregivers and all members of the household shall provide medical evidence that they are free of a reportable communicable disease that which may be transmitted while providing child care; and, in the case of caregivers caregiver(s), that they are free of physical or mental conditions that which could interfere with the child care responsibilities.
  - e) Responsibilities. Caregivers caregiver(s) and members of the a household shall have a tuberculin skin test administered by the Mantoux method in accordance with the rules of the Department of Public Health (77 Ill. Adm. Code 690.720).
  - f) Should the caregivers caregiver(s) or any member of the household be

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diagnosed as having a communicable disease for which isolation is required by the Department of Public Health (IDPH) or local health department, the group day care home shall not provide child care until notified by the public health agency that the infectious period has elapsed and that child care may resume. Further, a child care assistant or substitute who does not reside in the group day care home who has been diagnosed as having a communicable disease for which isolation is required shall be barred from the home until the presence of such person is authorized by the IDPH or the local health department.

g) During the hours of operation of the group day care home, there shall be at least one person on the premises certified in first aid ~~first-aid~~, the Heimlich maneuver and in infant/child cardiopulmonary resuscitation (CPR) ~~by the American Red Cross, or the American Heart Association or other entity approved by the Department~~. The caregivers caregiver(s) shall have on file current certificates attesting to the training.

h) The operators operator(s) of the group day care home (the caregiver(s)) shall carry public liability insurance in the single limit minimum amount of \$100,000 per occurrence.

i) Persons Person(s), including members of the household, counted in the staff-to-child ratio required by Section 408.65 must be present, awake and free from responsibilities other than those directly related to the care and supervision of children childrent when children are present. These responsibilities may include light housekeeping to maintain the areas areas wherein child care is provided.

j) Caregivers, assistants caregiver(s)/assistant(s) and other persons shall not smoke or consume alcohol in the presence of children childrent. A caregiver or child care assistant who appears to be under the influence of alcohol or other drug shall not have responsibility of the care of children childrent.

k) If the group day care home receives children for night-time care, the caregiver may sleep while children are present if the caregiver and the children sleep on the same floor (level) of the residence in--the same-area--of-the-home and the children's bedrooms are within hearing distance of the caregiver's bedroom.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 408.45 Caregivers Caregiver(s)

a) The caregiver is responsible for the day-to-day operation of the group day care home in accordance with the standards prescribed in this Part.

b) The caregiver or a designated child care assistant meeting the requirements of this Section shall be at the group day care home at all times that the group day care home is in operation, except when

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transporting children childrent or accompanying them on field trips ~~trips~~.

c) The caregivers caregiver(s) in a group day care home shall be at least 21 years of age.

d) The caregivers caregiver(s) shall have a high school diploma or equivalency certificate.

e) In addition to meeting the requirements of Sections 408.35 and 408.40 the caregiver in a group day home shall have achieved:

- 1) One year (1560 clock hours) child development experience in a licensed day care home, nursery school, kindergarten, or licensed day care center plus 6 six semester or equivalent quarter hours in courses related directly to child care and/or child development from an accredited college or university; or
- 2) One year (30 semester hours or 45 quarter hours) of credit from an accredited college or university with 6 six semester or equivalent quarter hours related directly to child care and/or child development; or
- 3) Completion of a credentialing program approved in accordance with Appendix F of this Part. A--current--credential--as--a--Child Development--Associate--(1987)--(assessment--for--credential--done locally--for--information--contact--Council--for--Early--Childhood Professionals--Recognition--1748--Connecticut--Avenue--N--W--Suite 500--Washington--D--C--20007)

f) In addition to meeting the other requirements of this Section, the caregivers caregiver(s) shall complete 15 six clock hours of continuing education per calendar year in matters related to child care/child development or compliance with the standards prescribed by this Part. Such continuing education may be derived from training offered by the Department, the Department of Public Health, the Department of Human Services, the Office of the State Fire Marshal, or national Nations, state or local organizations specializing in child care or child development. Courses or workshops to meet this requirement include, but are not limited to: child care/child development, health and sanitation, nutrition, small business management, personnel supervision, child abuse and neglect, parenting skills, first aid and safety. The records of the group day care home shall document the continuing education in which the caregiver has participated, and these records shall be available for review by the Department.

g) Through interaction with the licensing representative, children, parents parent(s) or guardian of children in care and operation of the group day care home in accordance with standards prescribed by this Part, caregivers caregiver(s) shall exhibit competence in the following specific areas:

- 1) Knowledge of basic hygiene, safety, and nutrition;
- 2) The ability to relate comfortably with parents parent(s) and to communicate with them on differences in caregiving methods, values, and goals;



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- 3) The ability to communicate with children;
- 4) The ability to set realistic controls for children ~~children~~ and to enforce these without harshness or physical abuse;
- 5) Knowledge of the children's ~~children's~~ need to explore and manipulate and the willingness to provide and maintain a home where children ~~children~~ can enjoy living and learning.
- h) The caregivers ~~caregivers~~ shall be responsible for the planning and supervision of the program and activities of the children, orienting child care assistants ~~assistants~~, and substitutes to the operation of the group day care home; on-site supervision of child care assistants; and in-service training totaling a minimum of 15 clock hours per year for the child care assistants ~~assistants~~. Orientation and training may be provided by the primary caregivers ~~caregivers~~ or outside resource persons ~~persons~~ and shall include recognizing and reporting child abuse or neglect, licensing standards prescribed by this Part, first aid, health and sanitation, fire prevention and safety procedures, special health, developmental, or nutritional needs of children ~~children~~ cared for in the group day care home.
- i) The caregivers ~~caregivers~~ may not be employed under the home during the hours that child care is being provided. This restriction does not apply to spouses qualifying as caregivers, provided one of them is in the home during the hours that child care is being provided.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 408.50 Child Care Assistants Assistant(s)

- a) Assistants shall have passed the background check requirements in Section 408.40(a).
- b) Part-time assistants shall be at least 14 years of age and 5 five years older than the oldest child they supervise. Minor assistants shall be employed in accordance with 56 Ill. Adm. Code 2507 (Illinois Child Labor Law).
- c) Full-time assistants shall be at least 18 years of age.
- d) Assistants ~~Assistant(s)~~ under age 18 shall work under the direct, personal supervision of the caregiver at all times. Direct, personal supervision means the caregiver maintains audible or visual contact with the assistant and children on the premises at all times.
- e) An assistant 18 years of age or older may accompany children ~~children~~ playing outdoors and may transport children if the assistant presents a valid driver's license for the vehicle. Classification that is being used to transport children and insurance.
- f) The assistants ~~assistant(s)~~ shall be compatible with the caregiver, capable of following directions, and responsive to supervision.
- g) The child care assistants ~~assistant(s)~~ shall be able to relate well with children ~~children~~.

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(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 408.65 Number and Ages of Children Served

- a) The maximum number of children cared for in a group day care home shall be 16 children under the age of 12, including the caregiver's own children, related children, and unrelated children.
- b) Twelve ~~12~~ children between 3 and 6 years of age may be cared for by a caregiver and an assistant 18 years of age or older. The assistant must be present when more than 8 ~~six~~ such children are present.
- c) Except as provided by subsection (b) above, the number of children to be served in the group day care home at any one time (license capacity) when a caregiver and assistant are present shall be determined in accordance with the following:
- 1) No more than ~~four~~ 4 children under 15 months of age shall be cared for in a group day care home; and
  - 2) No more than ~~six~~ 6 children under 30 months of age shall be cared for in a group day care home of which no more than ~~four~~ 4 children may be under 15 months of age;
  - 3) No more than ~~twelve~~ 12 children under ~~six~~ 6 years of age shall be cared for in a group day care home of which no more than ~~six~~ 6 children may be under 30 months of age and ~~four~~ 4 children under 15 months of age;
  - 4) A caregiver alone may care for:

- 1) A mixed age group consisting of:
    - A) Up to 8 eight children under 12 twelve years of age, of which
    - B) Up to 5 five children may be under 5 five years of age, of which
    - C) Up to 3 No more than three children may be under 24 months of age; or
  - 2) A mixed age group consisting of:
    - A) Up to 8 children under 12 years of age, of which
    - B) Up to 2 children may be under 5 years of age, of which
    - C) Up to 2 children may be under 30 months of age, or
  - 3) Up to 8 eight pre-school children if no child is under age 3 three; or
  - 4) Up to 12 twelve school age children as defined by Section 408.5.
- In addition to the children who may receive child day care in accordance with the requirements of subsection (d) above, a group day care home may accept 4 four additional children who are attending school full-time if a part-time before and/or after school assistant is employed and the Office of the State Fire Marshal or local agencies authorized by the Office of the State Fire Marshal to conduct inspections on its behalf approve approves the group day care home for acceptance of the extended capacity. Care provided for children who attend school full-time is limited to before and/or after school,

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holidays, weekends, during unforeseen school closings, and during the summer. The assistant shall be present at all times when school children are present.

f) In the event of a brief unforeseen school closing, the caregiver may accept one additional school-age child and still be considered in compliance with the capacity requirements, as long as the total number of children under age 12 in the home does not exceed the maximum of 16 children. The caregiver shall maintain a record of the dates, names and ages of the children for whom this care was provided.

g) When acceptance of siblings of children who are already in care will place the licensee out of compliance with the established age groupings, the licensee may develop a transition plan that shall which will be submitted to the licensing representative for review and approval. The plan may be approved when:

- 1) The licensee is not currently operating under a transition plan and is in full compliance with all the licensing standards;<sup>7</sup> and
- 2) At least one of the siblings has been in care for 30 days or more;<sup>17</sup> and

3) The transition plan will bring the home back into compliance with the established age groupings within 6 six months after of the date the plan is approved.

h) Caregivers licensed as of the effective date of these amendments who are in full compliance with the standards of this part may request in writing an increase in licensed capacity to the maximum. A decision regarding the increase in capacity shall be rendered within 90 ninety days after of receipt of the request. Decisions shall be made in accordance with the amended standards of this Part.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 408.70 Health and Medical Care

a) A medical report, on forms prescribed by the Department, shall be on file for each child and shall be dated no earlier than 6 months prior to enrollment.

1) The medical report shall be valid for 2 two years, except that subsequent examinations for school-age children shall be in accordance with the requirements of Section 27-8.1 of the School Code (105 ILCS 5/27-8.1), provided copies of the exam are on file at the facility.

2) Unless the examining physician has made a determination that it is unnecessary, a tuberculin skin test by the Mantoux method and the results of that test shall be included in the initial examination for all children who have attained one year of age, or at the age of one year for children who are enrolled before their first birthday. The tuberculin skin test by the Mantoux method shall be repeated when children begin elementary and

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secondary school unless the examining physician determines that the test is unnecessary. A tuberculin skin test shall be included in the initial exam only. The test shall be administered by the Mantoux method in accordance with the rules of the Illinois Department of Public Health.

3) The initial examination shall show that children from the ages of one to 6 years have been screened for lead poisoning for children residing in an area defined as high risk by the Illinois Department of Public Health in its Lead Poisoning Prevention Code (77 Ill. Adm. Code 645) or that a lead risk assessment has been completed for children residing in an area defined as low risk by the Illinois Department of Public Health. Screening for lead poisoning for children residing in an area defined as high risk by the Illinois Department of Public Health or completion of lead risk assessment for children residing in an area defined as low risk by the Illinois Department of Public Health (See 77 Ill. Adm. Code 645) Lead Poisoning Prevention Code) shall be completed for children age six and below in accordance with the rules of the Illinois Department of Public Health (77 Ill. Adm. Code 665) Child Health Examination Code;

4) The report shall indicate that the child has been immunized as required by the rules of the Illinois Department of Public Health for immunizations (77 Ill. Adm. Code 695). These required immunizations are poliomyelitis, measles, rubella, diphtheria, mumps, pertussis, tetanus, hepatitis B and haemophilus influenza

B. In accordance with the Child Care Act of 1969, as amended, a parent may request that immunizations, physical examinations, and/or medical treatment be waived on religious grounds. A request for such waiver shall be in writing, signed by the parent, and kept in the child's record.

5) Exceptions made for children who for medical reasons should not be subjected to immunizations or tuberculin tests shall be as indicated by the physician on the child's medical form.

b) A child suspected of having or diagnosed as having a reportable infectious, contagious, or communicable disease for which isolation is required by the Illinois Department of Public Health's General Procedures for the Control of Communicable Disease (77 Ill. Adm. Code 690.1000) shall be excluded from the home until the Illinois Department of Public Health or local health department authorized by it states, in writing, that the communicable, contagious or infectious stage of the disease has passed and that the child may be re-admitted to the group day care home.

c) Necessary medications shall be administered according to specific written instructions from the child's parents or guardians.

1) Prescription medicine labels must bear the child's name, the physician's name, the name of the drug store or pharmacy, prescription number, date of the prescription, and directions for

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- 2) Non-prescription medication provided by the parents parent(s) may be administered upon written parental permission that specifies the duration and frequency of medication. Such medication shall be administered in accordance with package instructions, and shall be labeled with the child's name and dated.
- 3) There shall be a signed statement by the child's parent or guardian giving permission to the caregiver to administer medication to the child.
- 4) The caregiver shall maintain a record of the dates, hours and dosages that which are given.
- 5) Medication shall be returned to the parents parent(s) when it is no longer required. Additionally, medication provided for a child no longer cared for in the facility and medication that which has reached its expiration date shall be destroyed.
- 6) Medical services, such as direct medical care to the child, shall be administered as required by a physician, subject to the receipt of appropriate releases from parents parent(s).
- d) Personal hygiene standards, such as the following, shall be observed:
- 1) Each child shall be provided with an individual towel, washcloth, and drinking cup. Single-use, disposable articles are acceptable.
  - 2) A separate sleeping arrangement, such as a bed, cot, crib, or playpen with individual bedding, shall be provided for each child who sleeps or naps while in care. A twin sized bed may be used for 2 children under age 4, provided each child shall have individual sheets.
  - A) The bed shall be kept in a clean and sanitary condition at all times, and bedding shall be suitable for the season.
  - B) Family beds may be used for children child(ren) if separate linens are used.
  - C) Rubber sheets shall be used when necessary.
  - D) There shall be at least 2 feet of space on all sides between beds, cribs, cots and playpens.
- 3) The caregiver shall require parents parent(s) to supply clothing suitable to weather conditions, as well as a complete change of clothing in case of need.
- 4) Caregivers caregiver(s) and children child(ren) shall wash and dry their hands before meals, after toileting, after diaper changing, and after contact with respiratory secretions.
- 5) Open cuts, sores or lesions on caregivers caregiver(s) or children child(ren) shall be covered.
- 6) Caregivers caregiver(s) shall wash their hands prior to food preparation and after any physical contact with a child during food preparation. Hands shall be dried using single-use towels.
- 7) Sheets shall be changed when soiled and at least weekly.

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- 8) Clothing soiled due to toilet accidents shall be changed immediately.
- e) In order to reduce the risk of infection or contagion to others, there must be space provided in the group day care home for the isolation and observation of a child who becomes ill. An ill child shall be provided a bed or cot away from other children and a caregiver or assistant shall supervise the child at all times he/she is in the home.
- f) When a group day care home admits an ill or injured children child(ren), a plan for the care of such children child(ren) must be agreed upon with the parents parent(s) to assure that the needs of the children child(ren) for rest, attention, personal care and administration of prescribed medication are met. No child requiring exclusion from the home in accordance with 77 Ill. Adm. Code 690 may be admitted.
- g) Caregivers caregiver(s) shall take reasonable measures to reduce the spread of communicable disease among children in the facility by observing such procedures as:
- 1) Using only washable toys with dispered children child(ren);
  - 2) Washing washable toys at least once per day;
  - 3) Cleaning facility-provided stuffed toys;
  - 4) Washing toys mouthed by one child before they are used by another child; and
  - 5) Washing pacifiers and other items placed in the mouth if dropped to the floor or ground.
- h) There shall be an emergency plan for each child in case of accident or sudden illness.
- 1) The caregiver shall have available at all times the name, address, and telephone number where the child's parents or guardian, relative, friend, or physician, and the Department can be reached.
  - 2) There shall be a planned source of readily available emergency medical care; a hospital emergency medical room, clinic, or the child's physician.
  - 3) When the caregiver accompanies a child to the source of emergency care, an adult who meets the standards prescribed by Section 408.55 must assume supervision of other children child(ren) in the home.
  - 4) In case of illness or accident, the parent, guardian, or supervising agency responsible for the child shall be notified immediately.
- (Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 408.75 Discipline of Children

- a) The caregiver shall use disciplinary measures designed and carried out

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in such a way as to help individual children develop self-control and assume responsibility for their own acts.

- 1) The caregiver shall establish simple, understandable rules so that expectations and limitations are clear to the child.
- 2) Discipline shall be in proportion to the particular inappropriate behavior.
- 3) Discipline shall be related to the child's act and be handled immediately by the adult involved so the child is aware of the relationship between acts and consequences.
- 4) Removal from the other children childrent as a means of helping a child gain control shall be for a number of minutes not to exceed the child's age in years. Removal from the group shall not be used for children less than 24 months of age.
- b) No child shall be subjected to extreme punishment.
- 1) No child shall be subjected to physical punishment, nor can shaming, friending, or humiliating methods be used.
- 2) Remarks can be no verbal abuse, threats, or derogatory remarks about the child or the child's family.
- 3) Depriving a child of meals or any part of meals shall never be used as punishment.
- 4) No child shall be punished for toilet accidents.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 408-80 Nutrition and Meals

- a) Meals and snacks shall be provided by the facility in a quantity and of such quality as to meet the daily nutritional needs of the child.
- b) Food requirements for children childrent between birth and the age of eating table food shall be geared to the individual needs of the child and determined by consultation with the parents. The facility shall provide one-third to two-thirds of the daily nutritional requirements, depending on the length and time of day of the child's stay. The main meal shall be nutritionally balanced conforming to age appropriate portions and variety as reflected in the Meal Pattern Charts, Appendices A and B.
- c) Children Childrent one year of age and older in attendance for more than 2 two but less than 5 five hours shall be served a mid-session snack consisting of one-half cup of pure fruit juice or full-strength canned or frozen fruit juice that which contains at least 30 milligrams of Vitamin C per serving, or one to one-half cup of pasteurized milk, or one serving of citrus fruit.
- d) Children Childrent one year of age and older in attendance 5 five to 10 ten hours shall be served at least one-third of their daily food requirements, which shall include a well-balanced, nutritive meal. Occasional picnic-type meals may be substituted for a main meal. Midmorning and midafternoon snacks consisting of fruit, fruit juice,

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or pasteurized milk (as prescribed under subsection (c) above) shall be included. Children Childrent in attendance for over 10 ten hours shall be served food to provide at least two-thirds of their daily food requirements. Two meals and the supplemental snacks will meet this requirement. One of the meals may be breakfast or supper, depending on the time the child arrives or departs.

- e) Whole milk shall be served to children under 2 years of age unless low-fat milk is requested by the child's physician.
- f) Children Childrent shall be served small servings of bite-size pieces.
- gf) All meals shall be suitable for children childrent and prepared by methods designed to conserve nutritive value, flavor, and appearance.
- h) Children under 2 years of age shall not be fed whole berries, hard candies, raisins, corn kernels, raw carrots, whole grapes, hot dogs, nuts, seeds, popcorn, raw peas or peanut butter, as these foods may cause choking.
- i) Cooked carrots, corn, peas and bananas may be served to infants only if mashed, grated or pureed.
- j) Hot dogs and raw carrots may be served to children between 2 and 3 years of age only if cut into short, thin strips. Peanut butter shall only be served to children between 2 and 3 years of age if thinly spread on bread, crackers or other foods or if mixed with other foods. Drinking water shall be readily available to the children childrent at all times.
- kg) Meals shall be pleasurable experiences for the child.
- h) Meal times shall be enough time allowed for meals so the children childrent can eat in an unhurried atmosphere.
- 2) Children Childrent shall be encouraged but not forced to try new foods.
- 3) Information provided by parents concerning the child's eating habits, food preferences, or special needs should be considered in planning menus.
- 4) Food preferences and eating habits shall not be permitted to become a source of friction at meal times.
- 5) Meal times should occur in a social atmosphere and afford children childrent the close presence of an attentive adult.
- m) Meals shall not be brought from home as a substitute for a meal provided by the facility except as provided in subsection (d) ttt below.
- nf) Provisions of this Section notwithstanding, a child requiring a special diet due to medical reasons, allergic reactions, or religious beliefs shall be provided meals and snacks in accordance with the child's needs and the written instructions of the child's parent parentst, guardian, or a licensed physician. Such instructions shall list any dietary restrictions/requirements and shall be signed and dated by the child's parent parentst, guardian or physician requesting the special diet. The group day care home may request the parent parentst or guardian to supplement food served by the



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facility. When food is supplied by the parent ~~parent(s)~~ or guardian, the facility shall be responsible for assuring that it is properly stored and served to the specific child in accordance with the diet instructions on file at the facility. Records of food intake shall be maintained when indicated by the child's physician.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 408-90 Transportation of Children**

a) Children ~~child(ren)~~ may be transported only when the child/adult ratios in accordance with Section 408.65 are maintained and the person transporting is ~~by persons~~ 18 years of age or older and has a valid driver's license for the vehicle classification being used. ~~in the child/adult-ratio-prescribed-in-Section-408-65.~~

b) Caregivers shall be responsible for assuring the safe transport of children ~~child(ren)~~.

c) Each child shall be individually fastened into a suitable infant or child restraint device whenever the vehicle is in motion. The restraint shall be federally approved and labeled as such and used in accordance with the manufacturer's instructions. This requirement shall not apply to a child for whom a physician has certified, in writing, that the child has a physical handicap that which prevents wearing an appropriate restraint device.

d) While transporting children ~~child(ren)~~, the driver shall be responsible for seeing that:

1) Each child shall board or leave the vehicle from the curb side of the street, and shall be safely conducted to the home or facility.

2) A responsible person as designated by the child's parent ~~parent(s)~~ or guardian shall receive the child when delivered to the home or the facility.

e) No child shall be left unattended in a vehicle.

f) The vehicle shall be safely equipped and the caregiver shall comply with State ~~state~~ and local laws pertaining to vehicles.

1) The vehicle shall be equipped in accordance with requirements of the Illinois Vehicle Equipment Law [625 ILCS 5/Ch. 12] ~~(4111-Revised-1987--Ch-95-1/2, pars.-12-100-et-seq.)~~ and local vehicle safety ordinances.

2) Evidence of compliance regarding vehicle liability and medical insurance shall be on file with the home records. Evidence may consist of, but is not limited to, a copy of an insurance policy, binder or certificate; or a letter from the insurance carrier.

3) The vehicle shall be equipped with safety locking devices on doors and shall be maintained in mechanically safe condition at all times.

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(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 408-105 Children Under 30 Months of Age**

a) Children under 30 months of age shall not be permitted in bathrooms, kitchens, or hazardous areas without the caregiver or assistant present.

b) Children under 30 months of age shall be provided a daily program that is designed to meet their needs.

1) The caregivers ~~caregiver(s)~~ shall demonstrate warm, positive feelings toward each child through actions such as hugging, patting, smiling, and cuddling.

2) Routines such as naps and feedings shall be discussed with the parents and shall be consistent with the child's routine at home.

3) Non-mobile children who are awake shall be moved to different positions and shall be held, rocked, and carried about.

4) The caregivers ~~caregiver(s)~~ shall frequently change the place, position, and toys available for children who cannot move about the room.

5) Consistent toilet training shall be undertaken at a time mutually agreed upon by parents ~~parent(s)~~ and caregiver in accordance with the child's age and/or stage of development.

6) Children ~~child(ren)~~ shall be taken outdoors for a portion of every day, when weather permits, except when the child is ill or unless indicated otherwise by parents ~~parent(s)~~ or physician.

c) Feeding schedules and procedures shall meet the developmental needs of the children ~~child(ren)~~.

1) Flexible feeding schedules of children shall be established to coordinate with parents' ~~parent(s)~~ schedules at home and to allow for nursing.

2) To avoid sudden infant death syndrome, children who cannot turn over alone shall be placed on their sides or backs when put down to sleep unless contraindicated by a physician. Placing children on their abdomens for any reason shall be avoided unless specifically instructed by the child's physician to do so.

3) Infants shall either be held or fed sitting up for bottle feeding. Infants unable to sit shall always be held for bottle feeding. ~~Children-up-to-6-months-of-age-shall-be-held-while-being-bottle-fed---Children-of-more-than-6-months-may-be-held-if-needed---Bottles-shall-not-be-propped-at-any-time~~ When infants ~~children~~ are able old-enough to hold their own non-glass bottle, they may feed themselves without being held. The bottle must be removed when the child has fallen asleep. Bottle propping and carrying of bottles by young children throughout the day/night shall not be permitted.

4) Bottles shall never be warmed or defrosted in a microwave oven.

54) Children shall be allowed and encouraged to feed themselves when

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- they indicate a readiness to do so.
- 65) Safe finger foods such as those that which dissolve in the mouth month may be hygiene.
- d) Proper standards of hygiene shall be observed in the home.
- 1) Hands shall be washed and dried before the feeding of each child.
- 2) If the child's formula is brought in by the parent, it shall be labeled and refrigerated.
- 3) All utensils shall be washed after each use.
- 4) Foods stored or prepared in jars shall be served from a separate disk for each child. Any leftovers from the serving dish shall be discarded. Leftovers in the jar shall be labeled with the child's name, dated, refrigerated, and served within 24 hours or discarded.
- 5) A toilet shall be easily accessible so that the contents of reusable diapers may be disposed of before placing the diapers in the diaper pail. Disposable diapers and their contents shall be disposed of in accordance with the manufacturer's instructions.
- 6) ~~Persons~~ ~~Person(s)~~ changing diapers shall wash hands under running water with soap after each change of diaper. Hands shall be dried with single-use towels. Additionally, disposable, non-permeable ~~latex-rubber-or-plastic~~ gloves shall be worn when changing a child who has watery or bloody stools.
- 7) The child whose diaper is ~~diapers-are~~ being changed is to be washed on the hands and anal area if there has been defecation or if irritation is present.
- 8) Children who are not toilet trained shall be diapered in their own cribs, at a central diapering area on a surface that is disinfected ~~sanitized~~ after each use, or on a disposable paper sheet that which is disposed of after each diapering.
- 9) The toilet seat, if soiled, or potty shall be cleaned after every use.
- 10) Soiled diapers shall be changed promptly.
- 11) Sheets shall be changed when soiled, and all sheets shall be changed routinely two times per week.
- 12) All beds shall be wiped clean as often as necessary.
- e) Toys and equipment shall be kept clean.
- 1) A germicidal solution of 1/4 cup ~~one-1/41-part~~ household chlorine bleach to ~~nine~~ one gallon of ~~499-parts~~ water (or one tablespoon bleach to one quart of water) or other germicidal solution approved by the Centers for Disease Control and Prevention shall be used to clean surfaces soiled by blood or body fluids. The bleach solution shall be made fresh daily.
- f) The equipment must be appropriate to the developmental needs of the children ~~child(ren)~~ in care.
- 1) Safe, sturdy, well-constructed individual cribs, playpens, or port-a-cribs for infants shall be equipped with good firm, fitting mattresses made of waterproof ~~water-proof~~ materials that

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- can be washed. Washable cots may be used for children 15 months of age and over.
- 2) Sleeping equipment for children under 15 months must have protection to prevent falls.
- 3) There shall be no more than 1 1/2 one-and-one-half inches of space between the mattress and bed frame when the mattress is pushed flush at one corner of the crib.
- 4) Bed linens used on the cots, cribs, or playpens shall be safe, tightly fitting, and washable.
- 5) Conveniently located, washable, plastic-lined covered receptacles shall be provided for soiled diapers and linens.
- 6) A toilet seat or potty shall be provided.
- g) The materials must be appropriate to the developmental needs of the child in care.
- 1) Provision shall be made for an adequate supply of individual diapers, clothing, powder, oil, etc.
- 2) ~~Cribs-shall-be--equipped-with-brightly-colored-hanging-toys-or mobiles;~~
- 23) There shall be a variety of toys and art materials for children under 30 months of age to observe, grasp, pick up, and manipulate.
- 34) Pull toys, pounding toys, large hollow blocks, or large balls shall be available for development of large muscles.
- 4) Walkers are prohibited.
- h) Equipment and play materials shall be durable and free from characteristics that may be hazardous or injurious to children under 30 months of age. Hazardous or injurious characteristics include sharp, rough edges; toxic paint; and objects small enough to be swallowed.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 408.115 Night Care

- a) A group day care home receiving children ~~child(ren)~~ for night care shall comply with the standards prescribed for group day care homes in addition to the special requirements prescribed in this Section.
- b) A child shall be considered to be enrolled in evening and/or night care when a majority of his or her time at the group day care home occurs between 6:00 p.m. and 6:00 a.m.
- c) The child shall be bathed, if needed.
- d) No child under 5 years of age shall be left unattended while in the bathtub.
- e) Each child must have individual sleeping garments that are clean and comfortable.
- f) An individual bed ~~bed~~, crib, or cot and individual linen and bedding shall be provided for each child except as ~~herein~~ provided in this

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Section 408.APPENDIX D Minimum Equipment and Supplies - Infant and Toddler Programs

subsection (f):

- 1) A double bed shall be the minimum size for sleeping 2 two non-enuretic children of the same sex.
- 2) Rubber sheets or suitable substitutes shall be supplied when necessary.
- 3) If a crib is used there shall be no more than 1 1/2 one-and-one-half inches of space between the mattress and bed frame when the mattress is pushed flush at one corner of the crib.
- 4) There shall be at least 2 feet of space on all sides between beds, cribs and cots used for children receiving night care.
- g) Carcivers and children receiving night care shall sleep on the same floor (level) of the residence.
- h) A basement area may be used for sleeping or napping if it has been approved in accordance with Section 408.30(a)(9).
- i) A room above the first floor may be used for sleeping or napping if the room has 2 exits with one exit leading directly to the outside with means to safely reach the ground level.
- j) There shall be a night light or other mechanism to illuminate hallways leading to stairs and/or the restroom.

k) A child who goes to school from a group day care home providing night care shall be clean and properly dressed according to the weather.

l) Each child shall have individual toilet articles such as comb, toothbrush, towel, and washcloth.

m) Health care routines at bedtime and/or upon rising shall include:

- 1) Brushing teeth at bedtime and upon rising.
- 2) Brushing or combing the hair upon rising.
- 3) Establishing a routine for toileting at bedtime and upon rising.

n) When possible, children ~~childrent~~ shall be left for care and picked up either before or after their normal sleeping period so that there is minimum disturbance of the children ~~childrent~~ during sleep.

o) The group day care home shall serve meals and snacks that supplement food served at home as prescribed in Section 408.80.

- 1) An evening meal that meets nutritional requirements shall be served at a regular time each evening and shall be available to children ~~childrent~~ who may arrive without having first eaten.
- 2) A bedtime snack shall be served, unless contraindicated by parents or physician in accordance with Section 408.80.
- 3) Children ~~childrent~~ who remain overnight and go to school directly from the group day care home shall have breakfast, including juice or fruit, unless they are receiving breakfast at school.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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Section 408.APPENDIX D Minimum Equipment and Supplies - Infant and Toddler Programs

INFANT PROGRAMS

Furnishings: 1. Sufficient infant-sized tables and chairs with backs for infants able to sit alone.

2. One crib with mattress and blanket per infant in attendance.

3. Ten-unit first aid first-aid kit.

4. Crib with mattress and blanket for ill infant.

5. Chairs with backs (for staff).

6. Low open shelves and bookcases (one foot per child).

7. Space and equipment for maintenance of children's records.

8. Adult rocker.

9. Individual space for outer clothing.

10. High chairs.

11. Infant seats.

12. Baby-----walkers

(optional):

12.13-Bathing tub.

13.14-Changing table with changeable covering.

14.15-Diaper pail with liners.

15.16-Area rug or carpeting.

16.17-Play pens (optional).

17.18-Gates as needed for safety.

18.19-Refrigerator.

Active Large-muscle: Play play

1. Large building blocks (may be of non-durable material)-

2. Five pieces of durable blocks.

SAME-AS-PR65EH66B PROGRAM

2-1)Durable large building blocks.

TODDLER PROGRAMS

1- Same as furniture for preschool programs

2- Training-chairs-

(Stackable-costs-may be-substituted-for

napping

1)14-Changing table with changeable covering.

2)15- Diaper pail with liners.

Toilet with training seat, child-size

toilet or potty chair.

3)16- Gates as needed for safety.

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INFANT PROGRAMS		TODDLER PROGRAMS	
Art and Music Activities <b>music activities:</b>	1. Cassette or compact disk player.	2. Five pieces of durable, large-muscle equipment such as: Large bouncers Large turning balls Body wheels Riding stools. 3. Large open plastic ball. 4. Water-play equipment.	2. Large-muscle equipment such as: Two-step slide Rocking boat Indoor gym house Swing Tunnel Climber.
	2. Cassette tapes or CDs <b>Records</b> at least 6. <b>etc</b>		
	3. Musical pull-toys.		
	4. Rattles.		
	5. Drum (without stocks).		
Fine Motor Development: <b>FINE-MOTOR DEVELOPMENT:</b>	1. Matching and feeling toys--one per every 2 two children such as: Plastic Plastic Form <b>form</b> toys Rattles <b>rattles</b> Pull <b>pull</b> toys Feeling <b>feeling</b> balls. 2. Manipulative toys--one per every 2 two-children, such as: Teething <b>teething</b> toys Wooden <b>wooden</b> rattles Shape <b>shape</b> toys Clutch <b>clutch</b> balls.		
Language Development:	1. Pictures.		
	2. Bulletin boards.		
			<b>SAMP-AS-PRESCH066</b> <b>PROGRAMS</b> Bulletin boards. 2.)

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INFANT PROGRAMS		TODDLER PROGRAMS	
Linens and Supplies: <b>LINENS-AND SUPPLIES</b>	1. For each crib: bumpers, sheets (cotton, plus rubber and/or plastic), blankets. 2. Bath towels. 3. Wash cloths. 4. Diapers 5. Covers <b>Covers</b> for changing table. 6. Sterile cotton balls. 7. Facial tissues. 8. Soap. 9. Petroleum jelly or bland diaper-rash ointment. 10. Rubber-bulk ear syringe with blunt plastic or rubber tip. 11. Bottle warmer.	1. For each crib: bumpers, sheets (cotton, plus rubber and/or plastic), blankets. 2. Bath towels. 3. Wash cloths. 4. Diapers 5. Covers <b>Covers</b> for changing table. 6. Sterile cotton balls. 7. Facial tissues. 8. Soap. 9. Petroleum jelly or bland diaper-rash ointment. 10. Rubber-bulk ear syringe with blunt plastic or rubber tip. 11. Bottle warmer.	3.) Flannel board and flannel sets. 4.) Durable books. <b>SAMP-AS-PRESCH066</b> <b>PROGRAMS</b> 1.) Clay or play dough. 2.) Tempera or finger paper (colored and white). 3.) Paste (non-toxic). 4.) Scraps--collage. 5.) Paint brushes. 6.) Crayons. 7.) Blunt scissors. 8.) Aprons-smocks. 9.) Dishes, silverware and cups, if meals are to be served. 11.) Wash cloths. 12.) Diapers 13.) Covers <b>Covers</b> for changing table. 14.) Facial tissues. 15.) Soap. 16.) Petroleum jelly or bland diaper-rash ointment.
(Source: Amended at 24 Ill. Reg. _____, effective _____)			



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**Section 408. APPENDIX F Early Childhood Teacher Credentialing Programs**

The Department will use the following criteria to review and approve early childhood teacher credentialing programs:

**Eligibility Requirements**

1. Candidates must be at least 18 years of age.
2. Candidates must have at least a high school diploma or equivalency (GED).
3. The credentialing program must require a minimum of 640 clock hours of documented experience within the past 5 years working with children ages zero to 6 in a public or private school, operated nursery school, kindergarten or licensed day care center.

**Credentialing Process**

The credentialing process must include:

1. The child care director's recommendation in support of the candidate.
2. A review of the applicant's interaction with children under direct supervision by an impartial person.
3. A minimum of 120 clock hours of broad based training that has been completed successfully and that has been documented. One semester hour of college credits in early childhood education is equivalent to 15 clock hours of formal in-service training. This training may be completed through:
  - A. Early childhood education courses at an accredited college or university; or
  - B. Documented seminars and workshops pertaining to the growth and education of children zero to 6 years of age, at educational conferences of recognized national or state associations, agencies, or educational institutions.
4. Professional resource file or portfolio that demonstrates the understanding of core professional content areas including, but not limited to, the following:
  - A. Principles of child growth and development.
  - B. Planning a safe, healthy learning environment.
  - C. Advancing children's physical and intellectual development.
  - D. Supporting children's social and emotional development.
  - E. Establishing productive relationships among family, school, and community.
  - F. Managing an effective program operation.
  - G. Maintaining a commitment to professionalism.
  - H. Observing and recording children's behavior.
  - I. Understanding the development of children's language.
5. An evaluation program that requires a professional review through observation and written assessment of:

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- A. Competence in the core professional content areas.
- B. Interaction with children in the child care environment.
- C. Professional portfolio or file.
- D. Required training.
- E. Verbal and written communication skills.

6. Observation and final assessment shall be done by an impartial committee or individual, not by the candidate's own director/employer.
7. A renewal of the credential shall be required at least every 5 years and shall require at least 20 additional clock hours of training. One semester hour of college is considered equivalent to 15 clock hours of formal in-service training.
8. All training shall be documented.

**Approved Credentials**

Child Development Associate Credential  
 Council for Early Childhood Professional Recognition  
 2460 16th Street, N.W.  
 Washington, DC 20009  
 1-800-424-4310

Certified Childcare Professional  
 National Child Care Association  
 1029 Railroad Street, N.W.  
 Conyers, Georgia 30207  
 1-800-543-7161

(Source: Added at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Grade A Pasteurized Milk and Milk Products

Citation: 77 Ill. Adm. Code 775

Section Numbers: Proposed Action:

76 Amendment

77 Amendment

775, 30

Statutory Authority: Authorized by and implementing the Grade A Pasteurized Milk and Milk Products Act [410 ILCS 635].

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking will update references to several documents that are incorporated by reference in Part 775. Documents that are being updated include the Grade A Pasteurized Milk Ordinance (PMO), the Methods of Making Sanitation Ratings of Milk Supplies (MMSR), the Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration (FDA), Program for Certification of Interstate Milk Shippers (Procedures), and the incorporated sections of the Code of Federal Regulations, all published by the FDA, and the Official Methods of Analysis of the Association of Official Analytical Chemists, published by the Association of Analytical Chemists. Key changes to the 1999 edition of the PMO include amendments to Appendix B, which provide updated regulations for the permitting and inspection of milk hauler/samplers and milk tank trucks. The revision also eliminates repetitive and outdated language. Key changes to the MMSR include Guidelines for Computing Enforcement Ratings, which will eliminate variations in interpretations used to evaluate State milk sanitation programs. Key changes to the Procedures provide criteria for evaluation of State enforcement programs and actions to be taken by FDA and the National Conference on Interstate Milk Shipments in response to State milk sanitation program evaluations. Modifications in the 16th edition of the Methods of Analysis of the Association of Analytical Chemists update the document to keep pace with rapidly changing technology used by dairy product laboratories, including the Illinois Department of Public Health laboratory.

- 6) Will this Rulemaking Replace an Emergency Rulemaking Currently in Effect?  
No

- 7) Does this Rulemaking Contain an Automatic Repeal Date? No

- 8) Does this Rulemaking Contain any Incorporations by Reference? Yes

- 9) Are there any Other Proposed Amendments Pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand any state mandates on units of local government.

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- 11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking: Interested persons may present their comments concerning these rules by writing, within 45 days after this issue of the *Illinois Register*, to:

Paul Thompson  
Division of Legal Services  
Illinois Department of Public Health  
535 West Jefferson, Fifth Floor  
Springfield, Illinois 62761  
(217)782-2043  
(e-mail:rules@lgh.state.il.us)

These rules may have an impact on small businesses. Small businesses commenting on these rules shall indicate their status as such, in writing, in their comments.

- 12) Initial Regulatory Flexibility Analysis:

A) Type of Small Businesses, Small Municipalities, and Not-For-Profit Corporations Affected: Milk hauler/samplers, milk tank truck owners, dairy producers and processors.

B) Reporting, Bookkeeping or Other Procedures Required for Compliance: Milk tank truck owners will be required to make application for permit. The rulemaking does not change reporting requirements for other entities.

C) Types of Professional Skills Necessary for Compliance: None

- 13) Regulatory agenda on which this rulemaking was summarized: July 2000

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH  
CHAPTER 1: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS

PART 775  
GRADE A PASTEURIZED MILK AND MILK PRODUCTS

Section	
775.1	Minimum Regulations(Renumbered)
775.10	Definitions
775.20	Incorporated Materials
775.30	Minimum Requirements
775.40	Local Government Implementation
775.50	Permits
775.60	Suspension of Permits
775.70	Inspections and Investigations
775.80	Approval of Construction Plans
775.90	Administrative Hearings
775.100	Milk Haulers Examination
775.110	Milk Tank Trucks
775.120	Cleaning and Sanitizing Procedures
775.130	Action Levels for Added Water in Milk
775.140	Pesticide, Herbicide and Mycotoxin Residue Control Program
775.150	Drug Residue Control Program

AUTHORITY: Implementing and authorized by the Grade A Pasteurized Milk and Milk Products Act [410 ILCS 635].

SOURCE: Adopted and codified at 8 Ill. Reg. 4190, effective March 16, 1984; amended at 11 Ill. Reg. 1464, effective February 1, 1987; amended at 12 Ill. Reg. 17925, effective December 1, 1988; amended at 17 Ill. Reg. 14015, effective August 15, 1993; amended at 19 Ill. Reg. 12271, effective August 10, 1995; amended at 22 Ill. Reg. 20633, effective November 10, 1998; amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

# Section 775.10 Definitions

In addition to the definitions contained in ~~Part~~<sup>Part</sup> 77, Section 1 of the FDA Grade A Pasteurized Milk Ordinance and Grade A Condensed and Dry Milk Products and Dry Whey Supplement, the following definitions shall apply:

"Act" means the "Grade A Pasteurized Milk and Milk Products Act"<sup>775.10</sup> (~~410 ILCS 635~~).

"Bulk milk pickup tank tanker" means ~~a vehicle including the truck~~<sup>a vehicle including the truck</sup> tank, and those ~~apparatuses necessary for its use, used by a milk~~<sup>apparatuses necessary for its use, used by a milk</sup> hauler-sampler to transport bulk raw milk for pasteurization ~~from a~~<sup>from a</sup> dairy farm to a ~~transfer station, receiving station or milk plant~~<sup>transfer station, receiving station or milk plant</sup>.

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**receiving station, or transfer station.** (Section 3(b)(16) of the Act)

**"Clarification"** means an operational procedure that removes sediment from milk.

**"Cleaning and sanitizing facility"** means any place, premise or establishment where milk tank trucks are cleaned and sanitized. (Section 3(b)(15) of the Act)

**"Cultured dairy products"**, means milk and milk products that have been soured after pasteurization using harmless lactic-acid producing bacteria, food grade phosphoric acid, lactic acid, citric acid or hydrochloric acid, with or without rennet and/or other safe suitable milk-clotting enzymes.

**"Dairy farm farm"** means any place or premise where one or more cows or goats are kept, and from which a part or all of the milk or milk products are provided, sold or offered for sale to a milk plant, transfer station, or receiving station. (Section 3(b)(1) of the Act)

**"Department"** means the Illinois Department of Public Health. (Section 3(b)(7) of the Act)

**"Director"** means the Director of the Illinois Department of Public Health. (Section 3(b)(8) of the Act)

**"Down stream"** means after the automatic milk flow safety device.

**"Embargo or hold for investigation"** means a detention or seizure designed to deny the use of milk or milk products which may be unwholesome or to prohibit the use of equipment which may result in contaminated or unwholesome milk or dairy products. (Section 3(b)(9) of the Act)

**"Enforcing agency Agency"** means the Illinois Department of Public Health or a unit of local government electing to administer and enforce the this Act as provided for in the Act. (Section 3(b)(12) of the Act)

**"Field representative Representative"** means a person qualified and trained in the sanitary methods of production and handling of milk as set forth in this Part, and generally employed by a processing or manufacturing plant for the purpose of doing quality control work.

**"Grade A"** means that milk and milk products are produced and processed in accordance with the latest United States Public Health Service-Food and Drug Administration Grade A Pasteurized Milk Ordinance as may be amended. The term Grade A is applicable to "dairy farm", "milk

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*hailer-sampler*, "milk plant", "milk product", "receiving station", and "transfer station," *bulk milk pickup tank*, and "certified pasteurizer sealer" whenever used in the Act. (Section 3(a) of the Act)

"High temperature short time flow-diversion device" or "H.T.S.T." means an automatic milk-flow safety device that controls the flow of milk in relation to the temperature of the milk or heating medium and/or pressure, vacuum, or other auxiliary equipment.

"Imminent hazard *hazard*" to the public health" means any hazard to the public health when the evidence is sufficient to show that a product or practice, posing or contributing to a significant threat of danger to health, creates or may create a public health situation that should be corrected immediately to prevent injury and that that should not be permitted to continue while a hearing or other formal proceeding is being held. (Section 3(b)(10) of the Act)

"Milk" means the milk of cows or goats and includes skim milk and cream. (Section 3(b)(2) of the Act)

"Milkfat and Nonfat Solid Content Standards" means the standards set forth in 21 CFR 131.110- (1999). (1999) (See Section 775.20.)

"Milk hauler-sampler hauler" means a person who is qualified and trained for the grading and sampling of raw milk in accordance with federal and State quality standards and procedures. *transports-bulk raw-milk-for-pasteurization-from-a-dairy-farm-to-a-receiving-station; transfer-station; or-milk-plant*. (Section 3(b)(14) of the Act)

"Milk Product *Product*" means any product including cream, light cream, light whipping cream, heavy cream, heavy whipping cream, whipped cream, whipped light cream, sour cream, acidified light cream, cultured sour cream, half-and-half, sour half-and-half, acidified sour half-and-half, cultured half-and-half, reconstituted or recombined milk and milk products; concentrated milk, concentrated milk products, skim milk, lowfat milk, frozen milk concentrate, eggnog, buttermilk, cultured milk, cultured lowfat milk, or skim milk, cottage cheese (including dry curd and lowfat), yogurt, lowfat yogurt, nonfat yogurt, acidified milk, acidified lowfat milk, or skim milk, low-sodium milk, low-sodium lowfat milk, low-sodium skim milk, lactose-reduced milk, lactose-reduced lowfat milk, lactose-reduced skim milk, aseptically processed and packaged milk and milk products, and milk, lowfat milk or skim milk with added safe and suitable microbial organisms. (Section 3(b)(4) of the Act)

"Milk tank truck" is the term used to describe both a bulk or milk pickup tanker and a milk transport tank.

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"Milk transport tank" means a vehicle, including the truck and tank used by a milk hauler to transport bulk shipments of milk from a transfer station, receiving station or milk plant to another transfer station, receiving station or milk plant.

"PMO" means the FDA Grade A Pasteurized Milk Ordinance incorporated by reference. (See Section 775.20.)

"Permit" means a document awarded to a person for compliance with the provisions of and under conditions set forth in the Act and this Part. (Section 3(b)(13) of the Act)

"Person" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the State of Illinois, or any political subdivision or Department thereof, or any other entity. (Section 3(b)(11) of the Act)

"Quality assurance program" means the Milk and Dairy Beef Quality Assurance Program, Bockman, Steve and Carlson, Keith R., Agri-Education Inc., Stratford, Iowa 50249 or equivalent program as determined by the Department.

"Receiving station *Station*" means any place, premise, or establishment where raw milk is received, collected, handled, stored or cooled and prepared for further transporting. (Section 3(b)(5) of the Act)

"Separation" means an operational procedure that removes butterfat from milk.

"Transfer station *Stations*" means any place, premise, or establishment where milk or milk products are transferred directly from one milk tank to another. (Section 3(b)(6) of the Act)

"Violative drug residue *Drug-Residue*" means a drug residue at or above the tolerance and/or safe levels as set forth in 21 CFR 67.4- 556 (1999)(1999) and Appendix N of the PMO.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 775.20 Incorporated Materials

- a) The following materials are incorporated or referenced in this Part:
- 1) The Grade A Pasteurized Milk Ordinance (PMO), Part--it--and Appendices A through F (except Sections 16 and 17) and (1999) and (1999) Recommendations of the United States Public Health Service/Food and Drug Administration, 1999 Revision (Publication



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229). In addition, the jurisdiction name, left blank in Sections 1, 2, 3, 5, and 11 of the PMO, for the purposes of this Part, shall mean the State of Illinois; and the regulatory agency referred to in Section 1 shall mean the Illinois Department of Public Health. (See Section 775.30(a).)

2) The Grade A Condensed and Dry Milk Ordinance, 1995 Revision, Part II and Appendices **Appendixes A** through **N** of the Grade A Condensed and Dry Milk Products and Condensed and Dry

Whsey -- Supplement I to the Grade A Pasteurized Milk Ordinance, 1995 Recommendation 1. (See Section 775.30(b).)

3) Evaluation of Milk Laboratories (1995 Revision), U.S. Department of Health and Human Services, Public Health Service/Food and Drug Administration.

4) Methods of Making Sanitation Ratings of Milk Supplies (1999 (1995 Revision), U.S. Department of Health and Human Services, Public Health Service/Food and Drug Administration.

5) Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program for Certification of Interstate Milk Shippers (1999 1995 Revision), U.S. Department of Health and Human Services, Public Health Service/Food and Drug Administration.

6) The Standard Methods for the Examination of Dairy Products (16th Edition, 1992, American Public Health Association, 1015 - 18th Street, N.W., Washington, D.C. 20036). (See Section 775.70(b).)

7) Official Methods of Analysis of the Association of Official Analytical Chemists (16th 15th Edition, 1995 1998, Association of Official Analytical Chemists, P.O. Box 540, Ben Franklin Station, Washington, D.C. 20044). (See Section 775.70(b).)

8) 21 CFR 131.110 (1999) (1999). (See Section 775.10, the definition of "milkfat and nonfat solid content standards".)

9) Illinois Plumbing Code - 77 Ill. Adm. Code 890, Illinois Department of Public Health. (See Section 775.30(c)(4).)

10) Minimum Qualifications for Public Health Personnel Employed by Full-time Local Health Departments - 77 Ill. Adm. Code 600.700 to 600.740, Illinois Department of Public Health. (See Section 775.740.)

11) Rules of Practice and Procedure in Administrative Hearings - 77 Ill. Adm. Code 100, Illinois Department of Public Health. (See Section 775.90.)

12) 21 CFR 556 (1999) (1999). (See Section 775.10, the definition of "violative drug residue violative drug residue".)

13) The Veterinary Medicine and Surgery Practice Act of 1984 1983 [225 ILCS 115].

b) All incorporations by reference refer to the materials on the date specified and do not include any additions or deletions subsequent to the date specified.

c) All citations to federal regulations in this Part concern the

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specified regulation in the 1999 1991 Code of Federal Regulations, unless another date is specified.

d) Copies of all incorporated materials are available for inspection and copying by the public at the Department's Central Office, Division of Food, Drugs, and Dairies, 525 West Jefferson Street, Springfield, Illinois 62761.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 775.30 Minimum Requirements

- a) The production, transportation, processing, handling, sampling, examination, grading, labeling and sale of all milk and milk products; the inspection of dairy herds, dairy farms and milk plants, receiving and transferring stations, and cleaning and sanitizing facilities; the suspension of permits to milk producers and haulers, shall be regulated in accordance with the provisions of **Part II and--Appendices A--through--M** of the Grade A Pasteurized Milk Ordinance (PMO) and **Appendices A through P** (with the exception of Sections 16 and 17). (See Section 775.207.)
- b) The production, manufacture, packaging, labeling and sale of all Grade A condensed milk and Grade A dry milk products and Grade A condensed whey and Grade A dry whey for use in the commercial preparation of Grade A pasteurized milk products; the inspection of condensing plants and/or drying plants; suspension of permits to condensing plants and/or drying plants, shall be regulated in accordance with the provisions of **Part II** and **Appendices A through M** of the Grade A Condensed and Dry Milk Products and Condensed and Dry Whey Supplement I to the Grade A Pasteurized Milk Ordinance. (See Section 775.207.)
- c) In addition to the provisions contained in **Section Sections 775.30(a)** and **(b)**, the following provisions shall apply:
  - 1) In addition to the provisions of Section 7, item 15p of the PMO:7  
**A) All** raw milk piping and equipment must be completely separated from pasteurized milk and milk product piping and equipment during processing. No raw milk piping or fittings shall be interchanged with pasteurized milk piping and fittings unless they have been washed and sanitized before use.
  - B) Heat treated and pasteurized milk or milk products, which are not produced at the packaging plant, to be used within a plant for processing pasteurized milk or milk products shall be repasteurized.**

2)

**C) No in-addition to the provisions of Section 7--item--15p--of the--PMO--no separation or clarification may occur down stream from any high temperature short time (H.T.S.T.) flow-diversion device.**

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DB) Blending of pasteurized milk or milk products may only occur down stream from the high temperature short time (H.T.S.T.) flow-diversion device when approved by the Department in accordance with the following specific requirements:

- i) All pasteurized milk product lines, raw product lines and cleaning lines within the milk plant shall be labeled in such a manner that the lines can be differentiated by visual inspection. The specific configuration of the lines must be verified by a Department on-site inspection prior to the issuance or renewal of a permit. In addition, any segments of lines that are or can be removed for cleaning must be individually labeled.
- ii) All products subject to blending down stream of the high temperature short time flow diversion device shall be required to undergo daily testing for standard plate count, coliform, phosphatase and salmonella. These analyses shall be conducted by a State ~~state~~ certified laboratory and the results shall be maintained for one year.

iii) Cultured dairy products are exempt from this requirement.

23) In addition to the provisions of Section 6 of the PMO, it shall be the responsibility of each approved milk plant to retain from each processing day at least one time and date stamped sample milk product as defined in the Grade A Pasteurized Milk Ordinance (see See Section 1 of the PMO). These samples shall be of the pasteurized milk product itself and not of each type of container in which the milk product is packaged ~~in~~. In addition, the samples shall be retained until two days after the guaranteed sale date in accordance with the refrigeration requirements of the PMO (see See Section 7 of the PMO).

34) In addition to the provisions of Section 7, items 8r and 7p of the PMO, the Illinois Plumbing Code (77 Ill. Adm. Code 890) shall apply.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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1) Heading of the Part: Retailers' Occupation Tax

2) Code Citation: 86 Ill. Adm. Code 130

3) Section Numbers:  
130.325  
Proposed Action:  
Amendment

4) Statutory Authority: 35 ILCS 120/2-30

5) A Complete Description of the Subjects and Issues Involved: This rulemaking implements the provisions of Public Act 91-541 which redefined the term, "graphic arts production", for purposes of the graphic arts machinery and equipment exemption. The regulation specifies that the term, "graphic arts production", means printing, including ink jet printing, by one or more of the processes described in various subsectors and specific groups of the North American Industry Classification System. The regulation describes the activities which comprise graphic arts production, and examples of qualifying equipment used in those processes. It also provides examples of activities which are not considered to be graphic arts production, as well as of non-qualifying equipment.

6) Will this proposed rulemaking replace an emergency rulemaking currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes. The statute which enacted the changes in this rulemaking defines "graphic arts production" by reference to specific subsectors and groups of the North American Industry Classification System ("NAICS"), published by the U.S. Office of Management and Budget, 1997 edition. The rulemaking quotes the statutory language.

9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	IL Register Citation
130.340	Amendment	2/18/00, 24 Ill. Reg. 2616
130.101	Amendment	2/25/00, 24 Ill. Reg. 3128
130.110	Amendment	2/25/00, 24 Ill. Reg. 3128
130.111	Amendment	2/25/00, 24 Ill. Reg. 3128
130.120	Amendment	2/25/00, 24 Ill. Reg. 3128
130.201	Amendment	2/25/00, 24 Ill. Reg. 3128
130.205	Amendment	2/25/00, 24 Ill. Reg. 3128
130.215	Amendment	2/25/00, 24 Ill. Reg. 3128
130.220	Amendment	2/25/00, 24 Ill. Reg. 3128
130.225	New Section	2/25/00, 24 Ill. Reg. 3128
130.305	Amendment	2/25/00, 24 Ill. Reg. 3128
130.315	Amendment	2/25/00, 24 Ill. Reg. 3128

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Amendment 130.320 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.321 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.330 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.330 5/26/00, 24 Ill. Reg. 7617  
Amendment 130.331 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.333 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.335 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.345 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.350 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.351 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.401 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.410 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.415 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.425 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.435 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.445 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.535 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.540 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.701 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.705 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.720 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.735 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.745 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.801 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.805 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.815 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.901 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.905 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.910 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1001 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1201 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1305 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1401 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1405 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1415 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1501 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1515 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1701 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1801 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1901 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1910 2/25/00, 24 Ill. Reg. 3128  
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Amendment 130.1925 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1930 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1935 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1940 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1960 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.1965 2/25/00, 24 Ill. Reg. 3128  
New Section 130.1971 2/25/00, 24 Ill. Reg. 3128

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Amendment 130.1975 2/25/00, 24 Ill. Reg. 3128  
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Amendment 130.2000 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2005 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2009 5/19/00, 24 Ill. Reg. 7470  
Amendment 130.2010 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2015 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2020 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2035 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2045 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2055 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2060 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2065 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2070 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2075 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2085 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2100 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2105 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2115 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2130 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2140 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2145 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2156 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2160 2/25/00, 24 Ill. Reg. 3128  
Amendment 130.2170 2/25/00, 24 Ill. Reg. 3128  
ILLUSTRATION A Amendment 2/25/00, 24 Ill. Reg. 3128

10) Statement of Statewide Policy Objectives: This rulemaking does not impose a State mandate.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:

Jerilyn T. Gordon  
Senior Counsel  
Illinois Department of Revenue  
Legal Services Office  
101 West Jefferson  
Springfield, Illinois 62794  
(217) 782-2844

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: Those engaged in the printing industry, and

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suppliers of that industry

- B) Reporting, bookkeeping or other procedures required for compliance: General bookkeeping procedures
- C) Types of professional skills necessary for compliance: Bookkeeping, accounting skills

- 13) Regulatory Agenda on which this rulemaking was summarized: July 2000

The full text of the Proposed Amendments begins on the next page:

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TITLE 86: REVENUE

CHAPTER 1: DEPARTMENT OF REVENUE

PART 130

RETAILERS' OCCUPATION TAX

SUBPART A: NATURE OF TAX

## Section

130.101 Character and Rate of Tax  
130.105 Responsibility of Trustees, Receivers, Executors or Administrators  
130.110 Occasional Sales  
130.111 Sale of Used Motor Vehicles by Leasing or Rental Business  
130.115 Habitual Sales  
130.116 Non-taxable Transactions  
130.120

SUBPART B: SALE AT RETAIL

## Section

130.201 The Test of a Sale at Retail  
130.205 Sales for Transfer Incident to Service  
130.210 Sales of Tangible Personal Property to Purchasers for Resale  
130.215 Further Illustrations  
130.220 Sales to Lessors of Tangible Personal Property

SUBPART C: CERTAIN STATUTORY EXEMPTIONS

## Section

130.305 Farm Machinery and Equipment  
130.310 Food, Drugs, Medicines and Medical Appliances  
130.315 Fuel Sold for Use in Vessels on Rivers Bordering Illinois  
130.320 Gasohol  
130.321 Fuel Used by Air Common Carriers in International Flights  
130.325 Graphic Arts Machinery and Equipment Exemption  
130.330 Manufacturing Machinery and Equipment  
130.331 Manufacturer's Purchase Credit  
130.335 Pollution Control Facilities  
130.340 Rolling Stock  
130.345 Oil Field Exploration, Drilling and Production Equipment  
130.350 Coal Exploration, Mining, Off Highway Hauling, Processing, Maintenance and Reclamation Equipment  
130.351 Aggregate Manufacturing

SUBPART D: GROSS RECEIPTS

## Section

130.401 Meaning of Gross Receipts  
130.405 How to Avoid Paying Tax on State or Local Tax Passed on to the



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Purchaser  
 Cost of Doing Business Not Deductible  
 Transportation and Delivery Charges  
 130.410  
 130.415  
 Interest Charges--Penalties--Discounts  
 130.420  
 130.425  
 Traded-In Property  
 130.430  
 Deposit or Prepayment on Purchase Price  
 130.435  
 State and Local Taxes Other Than Retailers' Occupation Tax  
 130.440  
 Penalties  
 130.445  
 Federal Taxes  
 130.450  
 Installation, Alteration and Special Service Charges  
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## ILLUSTRATION A Examples of Tax Exemption Cards

AUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act [35 ILCS 120] and authorized by Section 2505-25 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-25].

SOURCE: Adopted July 1, 1933; amended at 2 Ill. Reg. 50, p. 71, effective December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979; amended at 3 Ill. Reg. 13, pp. 93 and 95, effective March 25, 1979; amended at 3 Ill. Reg. 23, p. 164, effective June 3, 1979; amended at 3 Ill. Reg. 25, p. 229, effective June 17, 1979; amended at 3 Ill. Reg. 44, p. 193, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 52, effective November 2, 1979; amended at 4 Ill. Reg. 24, pp. 520, 539, 564 and 571, effective June 1, 1980; amended at 5 Ill. Reg. 818, effective January 2, 1981; amended at 5 Ill. Reg. 3014, effective March 11, 1981; amended at 5 Ill. Reg. 12782, effective November 2, 1981; amended at 6 Ill. Reg. 2860, effective March 3, 1982; amended at 6 Ill. Reg. 6780, effective May 24, 1982; codified at 6 Ill. Reg. 8229; recodified at 6 Ill. Reg. 8999; amended at 6 Ill. Reg. 15225, effective December 3, 1982; amended at 7 Ill. Reg. 7990, effective June 15, 1983; amended

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at 8 Ill. Reg. 5319, effective April 11, 1984; amended at 8 Ill. Reg. 19062, effective September 26, 1984; amended at 10 Ill. Reg. 1937, effective January 10, 1986; amended at 10 Ill. Reg. 12067, effective July 1, 1986; amended at 10 Ill. Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772, effective November 5, 1986; amended at 11 Ill. Reg. 4325, effective March 2, 1987; amended at 11 Ill. Reg. 6252, effective March 20, 1987; amended at 11 Ill. Reg. 18284, effective October 27, 1987; amended at 11 Ill. Reg. 18767, effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 19696, effective November 23, 1987; amended at 12 Ill. Reg. 5652, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 19531, effective November 4, 1988, not to exceed the 150 day time limit of the original rulemaking; emergency expired January 29, 1989; amended at 13 Ill. Reg. 18824, effective June 29, 1989; amended at 14 Ill. Reg. 241, effective December 21, 1989; amended at 14 Ill. Reg. 872, effective January 1, 1990; amended at 14 Ill. Reg. 15463, effective September 10, 1990; amended at 14 Ill. Reg. 16028, effective September 18, 1990; amended at 15 Ill. Reg. 6621, effective April 17, 1991; amended at 15 Ill. Reg. 13542, effective August 30, 1991; amended at 15 Ill. Reg. 15757, effective October 15, 1991; amended at 16 Ill. Reg. 1642, effective January 13, 1992; amended at 17 Ill. Reg. 860, effective January 11, 1993; amended at 17 Ill. Reg. 18142, effective October 4, 1993; amended at 17 Ill. Reg. 19651, effective November 2, 1993; amended at 18 Ill. Reg. 1537, effective January 13, 1994; amended at 18 Ill. Reg. 16866, effective November 7, 1994; amended at 19 Ill. Reg. 13446, effective September 12, 1995; amended at 19 Ill. Reg. 13568, effective September 11, 1995; amended at 19 Ill. Reg. 13688, effective September 18, 1995; amended at 20 Ill. Reg. 4428, effective March 4, 1996; amended at 20 Ill. Reg. 5366, effective March 26, 1996; amended at 20 Ill. Reg. 6991, effective May 7, 1996; amended at 20 Ill. Reg. 9116, effective July 2, 1996; amended at 20 Ill. Reg. 15753, effective December 2, 1996; expedited correction at 21 Ill. Reg. 4052, effective December 2, 1996; amended at 20 Ill. Reg. 16200, effective December 16, 1996; amended at 21 Ill. Reg. 12211, effective August 26, 1997; amended at 22 Ill. Reg. 3097, effective January 27, 1998; amended at 22 Ill. Reg. 11874, effective June 29, 1998; amended at 22 Ill. Reg. 19919, effective October 28, 1998; amended at 22 Ill. Reg. 21642, effective November 25, 1998; amended at 23 Ill. Reg. 9526, effective July 29, 1999; amended at 23 Ill. Reg. 9898, effective August 9, 1999; amended at 24 Ill. Reg. 10713, effective July 7, 2000; emergency amendment at 24 Ill. Reg. 11313, effective July 12, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART C: CERTAIN STATUTORY EXEMPTIONS

## Section 130.325 Graphic Arts Machinery and Equipment Exemption

a) General. Notwithstanding the fact that sales may be at retail, the Retailers' Occupation Tax does not apply to the sale of machinery and

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equipment, including repair and replacement parts, both new and used and including that manufactured on special order to be used primarily in graphic arts production. The exemption extends to purchases by lessors who will lease the property for use primarily in graphic arts production. Taxpayers must certify the use of the equipment they are purchasing to their suppliers. (See subsection (1) of this Section.)

b.) Graphic Arts Production. Graphic arts production has the following meanings and applications:

- 1) *Graphic arts production means printing, including ink jet printing, by one or more of the processes described in Groups 53110 through 53122 of Subsector 323, Groups 51110 through 51199 of Subsector 511, and Group 51220 of Subsector 512 of the North American Industry Classification System ("NAICS") published by the U.S. Office of Management and Budget, 1997 edition (no subsequent amendments or editions are included). Graphic arts production does not include the transfer of images onto paper or other tangible personal property by means of photocopying or final printed products in electronic or audio form, including the production of software or audio-books. (Section 2-30 of the Act)*
- 2) The North American Industry Classification System referenced in subsection (b)(1) can be obtained from the U.S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161 (Phone: 1-800-553-6847). The Department also maintains a copy of this information, which may be obtained upon request and at cost, from the Federal Services Office, 3-508, 101 West Jefferson Street, Springfield, Illinois 62244.

- 3) The exemption applies to machinery and equipment used in graphic arts production processes, as those processes are described in the NAICS. While the NAICS Subsectors referenced in subsection (b)(1) describe types of graphic arts establishments that typically engage in graphic arts production, the exemption is limited to qualify machinery and equipment used by the establishment described in the NAICS. Further, to qualify machinery and equipment used in the printing processes described in the NAICS (for example, lithography or flexography, screen printing, offset, digital printing and trade services such as press and binding and finishing services).

The tangible personal property produced by graphic arts production need not be sold at retail in order for the exemption to apply. For instance, a company's purchase of qualifying graphic arts equipment used to produce its own printed materials qualifies for the exemption, even though the company is not in the business of selling printed materials at retail.

- 4) The exemption includes printing by methods of letterpress, lithography, gravure, flexography, screen, quick and digital printing. It also includes the printing of manifold business forms, blankbooks, looseleaf binders, books, periodicals

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and newspapers. Included in the exemption are prepress services described in Subsector 323122 of the NAICS (e.g., the creation and preparation of negative or positive film from which plates are produced, plate production, cylinder engraving, typesetting and imagecetting). The exemption also includes trade binding and related printing support activities set forth in Subsector 323121 of the NAICS (e.g., tradebinding, sample mounting and postpress services, such as book or paper bronzing, edging, embossing, folding, gluing, gluing, die cutting, finishing, tabbing and indexing).

- 5) "Digital printing and quick printing" mean the printing of graphical text or images by a process utilizing digital technology, as provided in subsection (e) of this Section. It also includes the printing of what is commonly known as "digital photography" (e.g., use of a qualifying integrated computer and printer system to print a digital image on paper). The exemption extends only to machinery and equipment, including repair and replacement parts, used in the act of production. Accordingly, no other type or kind of tangible personal property will qualify for the exemption, even though it may be used primarily in the graphic arts business.

- c.) Machinery means major mechanical machines or major components of such machines contributing to graphic arts production. Equipment means any independent device or tool separate from any machinery but essential to the graphic arts production process or any sub-unit or assembly comprising a component of any machinery or auxiliary, adjunct, or attachment parts of machinery.

1) The exemption does not include hand tools, supplies such as rags, lubricants, adhesives, solvents, ink, dyes, chemicals, negatives, acids or solutions, fuels, electricity and steam or water. The exemption also does not include items of personal apparel, such as gloves, shoes, glasses, goggles, coveralls, aprons, and masks.

- 2) This exemption does not include the sale of materials to a purchaser who manufactures those materials into an otherwise exempted type of graphic arts machinery or equipment.

- 3) Machinery and equipment does not include modifications or special purpose buildings to house or support graphic arts machinery and equipment.

- 4) Machinery and equipment does not include computer software unless purchased preinstalled in qualifying computer equipment. Computer software not purchased preinstalled in qualifying computer equipment, including upgrades or new software, is subject to tax.

- d.) Primarily, the law requires that machinery and equipment be used primarily in graphic arts production.

- 2) Therefore, machinery that is used primarily in an exempt process and partially in a nonexempt manner would qualify for the exemption. However, the purchaser must be able to establish



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through adequate records that the machinery or equipment is used over 50% in an exempt manner in order to claim the exemption.

2) The fact that particular machinery or equipment may be considered essential to the conduct of the business of graphic arts production because its use is required by law or practical necessity does not, of itself, mean the machinery or equipment is used primarily in graphic arts production.

e) By way of illustration and not limitation, the following activities will generally be considered graphic arts production:

- 1) Prepress or preliminary processes. Prepress or preliminary processes include the steps required to transform an original into a state that is ready for reproduction by printing. Prepress or preliminary processes include typesetting, film production, color separation, final photocomposition (e.g., image assembly and imposition (stripping)), and platemaking. Prepress or preliminary processes include the manipulation of images or text in preparation for printing for the purpose of conforming those images to the specific requirements of the printing process being utilized. For example, the images must be conformed for a specific signature layout and formatted to a specific paper size. In addition, colors must be calibrated to the specific type of paper or printing process utilized, so that they conform to customer specifications. Prepress or preliminary processes do not, however, include the creation of artistic enhancement of images that will later be reproduced in printed form by a graphic arts process. For example, the creation of an advertisement pursuant to customer direction, or enhancement of a photograph received from a customer by adding a border, text or rearranging the placement of images in the photograph, is not the performance of a qualifying prepress or preliminary process. Prepress or preliminary processes can be performed at the printing facility, a separate prepress or preliminary facility, the customer's location, or other location. The following are examples of equipment used in qualifying prepress or preliminary activities:
  - A) Large scale, fixed-position cameras used to photograph two dimensional copy to produce negatives or positives used in the production of plates; film processors; scanners; impositors; RIP (raster image processor) equipment; proofing equipment; imagers; plate processors; heliostichographs and computer-to-plate and computer-to-press equipment.
- B) Computers that qualify include computers used primarily to receive, store and manipulate images to conform them to the requirements of a specific printing process that will later be performed. Computers used in connection with what is commonly referred to as "digital photography" will qualify if used primarily to format the graphic image that will be

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printed (e.g., used to format the size and layout of images to be printed). If such computers are primarily used, however, to apply background colors, borders or other artistic enhancements, or to view and select particular digital images to be printed, they will not qualify for the exemption.

- C) Digital cameras do not qualify if they are used primarily to create an original image that will later be reproduced by a graphic arts process.
- D) Servers used primarily to transfer images and text to qualifying equipment qualify, but do not qualify if used primarily in a non-exempt activity (for example, servers used to maintain an in-house email system).
- E) Scanners used primarily to input previously created images or text that will be reproduced by a graphic arts process qualify for the exemption.

- 2) The transfer of images or text from computers, plates, cylinders or blankets to paper or other stock to be printed. This process begins when paper is introduced on the press. Examples of qualifying equipment used in this activity include printing plates, printing presses, blankets and rollers, automatic blanket washers, scorers and dies, folders, punchers, stackers, strappers used in the pressroom for signatures, drivers, chillers and cooling towers. Laser or ink jet printers used to print on paper or other stock are also included in this exemption.

A) Equipment used to handle or convey printed materials between production stations in an integrated on-line graphic arts process is included in the exemption (e.g., a forklift will qualify for the exemption if it is primarily used to convey book covers that have been printed and cut to binding and finishing equipment).

- B) Computer equipment used to operate exempt graphic arts equipment also qualifies for the exemption.

C) Equipment, such as transformers, used primarily to provide power to qualifying printing presses or bindery lines, qualifies for the exemption. Similarly, heating and cooling machinery or equipment used to produce an environment necessary for the production of printed material qualifies for the exemption. For example, humidity-control equipment used to reduce static during the printing process qualifies for the exemption.

- 3) Activities involving the binding, collating or finishing of the graphic arts product. Equipment used in these activities includes, for instance, binders, packers, gatherers, loggers, trimmers, electronic equipment, blow-in card feeders, inserters, stitchers, gluers, spiral binders, addressing machines, labelers and ink-jet printers.

A) Machinery or equipment used to convey materials to packaging

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areas after the graphic arts product has been printed, bound and finished qualifies for the exemption. Such equipment includes, for instance, conveyor systems, hoists or other conveyance mechanisms used to direct the final printed product into packaging areas.

- B) Machinery or equipment used to package materials after the graphic arts product has been printed, bound and finished qualifies for the exemption. Such packaging equipment includes, for instance, cartoning systems, palletizers, stretch wrappers, strappers, shrink tunnels and similar equipment.

F) By way of illustration and not limitation, the following activities will generally not be considered to be graphic arts production:

- 1) The use of machinery and equipment in general maintenance or repair work on production machinery or equipment. This includes hand tools, welding tools, racks, and other machinery and equipment used in the maintenance area.
- 2) The use of machinery and equipment (e.g., fork lifts, roll clamps and roll grabbers) to convey raw materials to the press does not qualify for the exemption.
- 3) The use of machinery or equipment to convey materials to storage or shipping areas. Such equipment includes, for instance, fork lifts used primarily to place the packaged printed product into storage or shipping areas.
- 4) The use of machinery or equipment to gather information, track jobs or to perform data-related functions prior to a qualifying prepress activity (e.g., computers used primarily to edit or create text, data, or other copy). Such equipment includes items such as inventory tracking devices and bar-code readers.
- 5) The use of machinery or equipment to photocopy printed matter. A copier that is capable of printing images or text transmitted to it in digital form will qualify. However, a copier that produces photocopies by means of xerographic technology is subject to tax.
- 6) The use of machinery or equipment in managerial, sales or other non-production, non-operational activities including inventory control, production scheduling, purchasing, receiving, accounting, physical management, general communications, plant security, marketing, or personnel recruitment, selection or training. Waste disposal equipment (e.g., equipment used to contain and recapture paper dust) does not qualify for the exemption. However, for information regarding the pollution control exemption, see Section 130.335 of this Part. Similarly, baling equipment used to recycle paper waste does not qualify under this exemption. However, the manufacturing machinery and equipment exemption may be applicable. See Section 130.330 of this Part.
- 7) The use of machinery and equipment to prevent or fight fires or to protect employees, such as protective masks, respirators,

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first-aid kits, gloves, coveralls, and goggles, or for safety, accident protection or first-aid, even though that machinery or equipment may be required by Federal, State or local law.

- 8) The use of machinery or equipment for general ventilation, heating, cooling, climate control or general illumination, except when the machinery or equipment is used to produce an environment necessary for the production of printed material.

9) An item of machinery or equipment that initially is used primarily in graphic arts production and having been so used for less than one-half of the useful life and is converted to primarily nonexempt uses will become subject to the tax at the time of the conversion. The tax will be collected on that portion of the price of the machinery or equipment as was excluded from tax at the time the sale or purchase was made.

b) Sales to Lessors of Graphic Arts Equipment. The statute provides for the purchase of graphic arts machinery and equipment by lessors who will lease that machinery and equipment for use in graphic arts production. Therefore, if the purchaser of the machinery or equipment leases the machinery and equipment to a lessee who uses it in an exempt manner, the sale to the purchaser-lessor will be exempt from tax. A supplier may exclude these sales from his taxable gross receipts provided that the purchaser-lessor provides to him a properly completed exemption certificate and the information contained in the certificate would support an exemption if the sale were made directly to the lessee. Should a purchaser-lessor subsequently lease the machinery or equipment to a lessee who does not use it in an exempt manner that would qualify directly for the exemption, the purchaser-lessor will become liable for the tax from which he was previously exempted.

1) Exemption Certification. Purchasers wishing to claim the exemption must certify to their suppliers that the machinery and equipment will be used primarily for graphic arts production. Retailers must maintain the certificates in their books and records. The use of blanket certificates of exemption will be permitted. The certificate must include the seller's name and address, the purchaser's name and address and a statement that the property purchased will be used primarily in graphic arts production. So long as the retailer obtains a certificate of exemption that contains all the information required in this subsection (1), the retailer need not verify that the equipment he sells is actually used as graphic arts production equipment. If a graphic arts producer or lessor purchases at retail from a vendor who is not registered to collect Illinois Use Tax, the purchaser must maintain a copy of the certification in his records to support the deduction taken on the return.

a) General: Notwithstanding the fact that sales may be at retail, the Retailers' Occupation Tax does not apply to the sale of machinery and equipment including repair and replacement parts therefor, both new and used and

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including that manufactured on special order to be used primarily in graphic arts production; the exemption extends to purchases by lessors who will lease the property for use primarily in graphic arts production; taxpayers must certify the use of the equipment; they are purchasing to their suppliers. (See subsection (e) of this Section.)

## b) Graphic Arts Production

1) Graphic arts production means printing by one or more of the common processes or graphic arts production services as those processes and services are defined in Major Group 22 of the U.S. Standard Industrial Classification Manual (Section 2.30 of the Act). The exemption includes printing by letterpress, lithography, gravure, screen engraving and flexography and includes such printing trade services as typesetting, negative production, plate production, bookbinding, finishing, looseleaf binder production and other services set forth in Major Group 22. The exemption extends only to machinery and equipment used in the act of production. Accordingly, no other type or kind of tangible personal property will qualify for the exemption even though it may be used primarily in the graphic arts business.

2) Machinery means major mechanical machines or major components of such machines contributing to graphic arts production. Equipment means any independent device or tool separate from any machinery but essential to the graphic arts production process or any sub-unit or assembly comprising a component of any machinery or auxiliary adjunct or attachment or parts of machinery. The exemption does not include hand tools, supplies, lubricants, adhesives or solvents, ink, chemicals, dyes, acids or solutions, fuel, electricity, steam or water, items of personal apparel such as gloves, shoes, glasses, goggles, coveralls, aprons, and makiis or such items as negatives, one time use printing plates as opposed to multiple use cylinders or lithographic plates, dies, etc. which are expendable supplies. This exemption does not include the sale of materials to a purchaser who manufactures such materials into an otherwise exempted type of graphic arts machinery or equipment.

3) Machinery and equipment does not include foundations for or special purpose buildings to house or support graphic arts machinery and equipment.

## c) Primary Use

1) The law requires that machinery and equipment be used primarily in graphic arts production. Therefore, machinery which is used primarily in an exempt process and partially in a nonexempt manner would qualify for the exemption. However, the purchaser must be able to establish adequate records that the machinery or equipment is used over 50% in an exempt manner in order to claim the deduction.

2) The fact that particular machinery or equipment may be considered essential to the conduct of the business of graphic arts

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production because its use is required by law or practical necessity does not of itself mean the machinery or equipment is used primarily in graphic arts production.

3) By way of illustration and not limitation, the following activities will generally be considered to constitute an exempt use:

A) Machinery and equipment to directly produce typesetting negatives and plates including final photo composition and color separation processes;

B) The use of machinery and equipment to transfer images or text from type or plates or image carriers to paper or other stock to be printed;

C) Equipment to collate, bind or finish the graphic arts product covered in subsection (c)(2) above;

B) Large scale fixed position cameras used to photograph two dimensional copy to produce negatives or positives used in the production of plates;

4) By way of illustration and not limitation, the following activities will generally not be considered to be graphic arts production:

A) The use of machinery and equipment in general maintenance or repair work on production machinery or equipment;

B) The use of machinery or equipment to store, convey, handle or transport materials;

C) The use of machinery or equipment to place the printed product in the container package or wrapping in which such property is normally sold to the ultimate consumer thereof;

B) The use of machinery or equipment to gather information, photograph, transmit data, edit text, prepare drafts or copy or perform other date related functions prior to final composition, typesetting, engraving or other preparation of the image carrier;

B) Xerographic or photocopying machines do not qualify for the exemption;

P) Word processing, text editing machinery or computerized equipment unless it is an integral part of a final graphic arts operation such as a computer controlled typesetting machine or equivalent that is used primarily in graphic arts production;

G) Computers used to store data and generate text, maps, graphs or other print out formats unless the product is an image carrier to be used to repetitively transfer images by printing. For example, a computer which generates an image which may later be reproduced by a graphic arts process would not qualify while a computer controlled engraving system which produces printing cylinders and computer controlled digital typesetting equipment would qualify.

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- h) the use of machinery or equipment in managerial sales or other non-production, non-operational activities including disposal of waste, inventory control, production scheduling, purchasing, receiving, accounting, physical management, general communications, plant security, sales, marketing, product exhibition and promotion, or personnel recruitment, selection or training;
- i) the use of machinery and equipment to prevent or fight fires or to protect employees, such as protective masks, gloves, coveralls and goggles or for safety, accident protection or first aid even though such machinery or equipment may be required by law;
- j) the use of machinery or equipment for general ventilation, heating, cooling, climate control or general illumination;
- 5) An item of machinery or equipment which initially is used primarily in graphic arts production and having been so used for less than one-half of the useful life is converted to primarily nonexempt uses, will become subject to the tax at the time of the conversion. Such tax will be collected on such portion of the purchase price of the machinery or equipment as was excluded from tax at the time the sale or purchase was made.
- d) Sales to Lessors of Graphic Arts Equipment  
The statute provides for the purchase of graphic arts machinery and equipment by lessors who will lease such machinery and equipment for use in graphic arts production. Therefore, if the purchaser of the machinery or equipment leases the machinery and equipment to a lessee who uses it in an exempt manner, the sale to the purchaser-lessee will be exempt from tax. A supplier may exclude such sales from his taxable gross receipts provided that the purchaser-lessee provides to him a properly completed exemption certificate and the information contained therein would support an exemption if the sale were made directly to the lessee. Should a purchaser-lessee subsequently lease the machinery or equipment to a lessee who does not use it in an exempt manner, that would qualify directly for the exemption, the purchaser-lessee will become liable for the tax from which he was previously exempted.
- e) Exemption Certification  
Purchasers wishing to claim the exemption must certify to their suppliers that the machinery and equipment will be used primarily for graphic arts production. Ratiss must maintain such certificates in their books and records. The use of blanket certificates of exemption will be permitted if a graphic arts producer or lessor purchases at retail from a vendor who is not registered to collect Illinois Use Tax. The purchaser must maintain a copy of the certification in his records to support the deduction taken on the return. The certificate must include the seller's name and address, the purchaser's name and address and a statement that the property purchased will be used primarily in graphic arts production.

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- f) For the purpose of determining the portion of the proceeds or cost which may be excluded from tax, a sale of property will be deemed to be made as of the date of delivery of such property, if a single sale of property is made which calls for multiple deliveries unrelated to payments and a portion of the sold property is delivered when one fraction of the proceeds or cost is excludable and the remainder of the property is delivered when a different fraction of the proceeds or cost is excludable, the earliest date of delivery of any of the property will determine the portion of the proceeds or cost of the entire sale which may be excluded in computing the tax which is due on that entire sale. However, even when a contract provides for multiple deliveries if a payment is closely related in time and quantity to the property delivered, the date of each delivery will determine the portion of the proceeds or cost which may be excluded in computing the tax that is due on that payment.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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1) Heading of the Part: Issuance of Licenses

2) Code Citation: 92 Ill. Adm. Code 1030

3) Section Number: Proposed Action:

1030.65 Amendment

1030.80 Amendment

1030.81 Amendment

1030.130 Amendment

4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)] and Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art. I].

5) A Complete Description of the Subjects and Issues Involved: This rulemaking is being proposed to incorporate previously enacted legislation.

6) Will this proposed rulemaking replace an emergency rulemaking currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other amendments pending on this Part?

Section Number Proposed Action Illinois Register Citation  
1030.84 Amendment 8/25/00, 24 Ill. Reg. 13044

10) Statement of Statewide Policy Objectives: This rulemaking will have no effect on local units of government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days after the date this notice is published. All comments must be in writing and should be sent to:

Robert W. Mueller  
Assistant General Counsel  
2701 South Dirksen Parkway  
Springfield IL 62723  
217-782-5356

12) Initial Regulatory Flexibility Analysis: After careful consideration, the Secretary of State feels this proposed rulemaking will have no effect on any types of small businesses and the proposed rule has not been submitted

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to the Small Business Office of the Department of Commerce and Community Affairs.

13) Regulatory Agenda on which this rulemaking was included: July 2000

The full text of the proposed amendments begins on the next page.

ILLINOIS REGISTER		1441E	00
ILLINOIS REGISTER		1441F	00
SECRETARY OF STATE		SECRETARY OF STATE	
NOTICE OF PROPOSED AMENDMENTS		NOTICE OF PROPOSED AMENDMENTS	
TITLE 92: TRANSPORTATION		APPENDIX A Questions Asked of a Driver's License Applicant	
CHAPTER II: SECRETARY OF STATE		APPENDIX B Acceptable Identification Documents	
PART 1030		AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art. I] and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].	
ISSUANCE OF LICENSES		SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, P. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, P. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 12890, effective July 19, 1989; amended at 13 Ill. Reg. 13896, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg. 8707, effective May 16, 1990; amended at 14 Ill. Reg. 9246, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 10111, effective June 11, 1990; amended at 14 Ill. Reg. 10510, effective June 18, 1990; amended at 14 Ill. Reg. 12077, effective July 5, 1990; amended at 14 Ill. Reg. 15487, effective September 10, 1990; amended at 15 Ill. Reg. 15783, effective October 18, 1991; amended at 16 Ill. Reg. 2182, effective January 24, 1992; emergency amendment at 16 Ill. Reg. 12228, effective July 16, 1992, for a maximum of 150 days; emergency expired on December 13, 1992; amended at 16 Ill. Reg. 19087, effective November 17, 1992; emergency amendment at 17 Ill. Reg. 1219, effective January 13, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2025, effective February 1, 1993; amended at 17 Ill. Reg. 7065, effective May 3, 1993; amended at 17 Ill. Reg. 8275, effective May 24, 1993; amended at 17 Ill. Reg. 8522, effective May 27, 1993; amended at 17 Ill. Reg. 19315, effective October 22, 1993; amended at 18 Ill. Reg. 1591, effective January 14, 1994; amended at 18 Ill. Reg. 7478, effective May 2, 1994; amended at 18 Ill. Reg. 16457, effective October 24, 1994; amended at 19 Ill. Reg. 10159, effective June 29, 1995; amended at 20 Ill. Reg. 3891, effective February 14, 1996; emergency amendment at 20 Ill. Reg. 8358, effective June 4, 1996, for a maximum of 150 days; emergency amendment repealed in response to an objection of the Joint Committee on Administrative Rules at 20 Ill. Reg. 14279; amended at 21 Ill. Reg. 6588, effective May 19, 1997; amended at 21 Ill. Reg. 10992, at 21 Ill. Reg. 6588, effective May 19, 1997; amended at 21 Ill. Reg. 10992,	
What Persons Shall Not be Licensed or Granted Permits		SECTION 1030.10	
Procedure for Obtaining a Driver's License		SECTION 1030.11	
Denial of License or Permit		SECTION 1030.12	
Cite for Re-examination		SECTION 1030.13	
Physical and Mental Evaluation		SECTION 1030.14	
Errors in Issuance of Driver's License/Cancellation		SECTION 1030.15	
Medical Criteria Affecting Driver's Performance		SECTION 1030.16	
Classification of Drivers-References		SECTION 1030.17	
Classification Standards		SECTION 1030.18	
Fifth Wheel Equipped Trucks		SECTION 1030.19	
Bus Driver's Authority, Religious Organization and Senior Citizen Transportation		SECTION 1030.20	
Computer Van Driver Operating a For-Profit Ridesharing Arrangement		SECTION 1030.21	
Third-Party Certification Program		SECTION 1030.22	
Religious Exemption for Social Security Numbers		SECTION 1030.23	
Instruction Permits		SECTION 1030.24	
Driver's License Testing/Vision Screening		SECTION 1030.25	
Driver's License Testing/Vision Screening with Vision Aid		SECTION 1030.26	
Arrangements Other Than Standard Eye Glasses or Contact Lens(es)		SECTION 1030.27	
Driver's License Testing/Written Test		SECTION 1030.28	
Endorsements		SECTION 1030.29	
Vehicle Inspection		SECTION 1030.30	
Driver's License Testing/Road Test		SECTION 1030.31	
Multiple Attempts - Written and/or Road Tests		SECTION 1030.32	
Exemption of Facility Administered Road Test		SECTION 1030.33	
Temporary Licenses		SECTION 1030.34	
Requirement For Photograph and Signature of Licensee on Driver's License		SECTION 1030.35	
Disabled Person/Handicapped Identification Card		SECTION 1030.36	
Restrictions		SECTION 1030.37	
Restricted Local Licenses		SECTION 1030.38	
Duplicate or Corrected Driver's License or Instruction Permit		SECTION 1030.39	
Consular Licenses		SECTION 1030.40	
Restricted Commercial Driver's License		SECTION 1030.41	
Invalidation of a Driver's License, Permit and/or Driving Privilege		SECTION 1030.42	
School Bus Commercial Driver's License		SECTION 1030.43	
Anatomical Gift Donor		SECTION 1030.44	
Emergency Medical Information Card		SECTION 1030.45	
Change-of-Address		SECTION 1030.46	
Issuance of a Probationary License		SECTION 1030.47	
Grounds for Cancellation of a Probationary License		SECTION 1030.48	

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effective July 29, 1997; amended at 22 Ill. Reg. 1466, effective January 1, 1998; emergency amendment at 23 Ill. Reg. 9552, effective August 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13947, effective November 8, 1999; amended at 24 Ill. Reg. 1259, effective January 7, 2000; emergency amendment at 24 Ill. Reg. 1466, effective January 13, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 6955, effective April 24, 2000; emergency amendment at 24 Ill. Reg. 13044, effective August 10, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 1030.65 Instruction Permits

a) For purposes of this Section, the following definitions shall apply:

"Applicant" - person applying for an instruction permit.

"Certificate of Completion (Blue Slip)" - a document issued by the Illinois State Board of Education or the office which regulates education in another state to students who have successfully completed their driver education course. The blue slip in Illinois is issued by the Illinois Secretary of State's Office if the student completed behind the wheel instruction at an approved commercial driving school as provided in 92 Ill. Adm. Code 1060 and Section 6-411(g) of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-114(g)].

"Class 'L' Instruction Permit" - permit to operate a motor driven cycle with less than 150 cc displacement.

"Class 'M' Instruction Permit" - permit to operate any motorcycle or any motor driven cycle.

"Commercial Driver Instruction Permit" - a driving permit that authorizes an individual to operate a commercial motor vehicle, as defined in 625 ILCS 5/6-500, issued pursuant to Sections 6-103, 6-105, 6-107.1 and 6-508 of the Illinois Vehicle Code [625 ILCS 5/6-103, 6-105, 6-107.1 and 6-508].

"Competent Medical Specialist" - a person licensed under Section 3 of the Medical Practice Act [225 ILCS 60/3] or similar law of another jurisdiction to practice medicine in all of its branches.

"Department" - Department of Driver Services within the Office of the Secretary of State.

"Driver Education Course" - a course of instruction in the use and operation of cars, including instruction in the safe operation of cars, rules of the road and the law of the State relating to motor vehicles, which meets the minimum requirements

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of the Driver Education Act [105 ILCS 5/27-24] and Section 1-103 of the Illinois Vehicle Code [625 ILCS 5/1-103].

"Driver Rehabilitation Specialist" - a person who possesses an undergraduate degree in rehabilitation, education, health, safety, therapy or a related profession (or equivalent of 8 years of experience in driver rehabilitation); possesses a current Association of Driver Educators for the Disabled (ADED) Certification as a Driver Rehabilitation Specialist (consisting of successful completion of 100 clock hours of educational experience, in combination with safety and medical aspects of disabilities; a minimum of 30 clock hours must be gained from attending ADED approved courses or workshops).

"Driving Evaluation" - Assessment of an applicant's ability to safely operate a motor vehicle performed by a driver education specialist at a rehabilitation institution.

"Favorable Medical Report" - a current medical report which has been completed in its entirety which does not require additional information and/or clarification or is not medically questionable. A favorable medical report specifies a professional opinion from the competent medical specialist that the driver is medically fit to safely operate a motor vehicle.

"Illinois Medical Restriction Card" - a card which specifies special limitations to a person's driving privileges as provided in Section 6-113 of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-113].

"In Loco Parentis" - person who is acting in place of a minor's parent with a parent's rights, duties, and authority.

"Instruction Permit" - a driving permit issued pursuant to Sections 6-103, 6-105 and 6-107.1 of the Illinois Vehicle Code [615 ILCS 5/6-103, 6-105 and 6-107.1].

"Medical Report" - a confidential medical questionnaire designed by the Department and approved by the Illinois Medical Advisory Board or a statement on letterhead made by a competent medical specialist containing the same information as the form designed by the Department. The medical report shall be directed to the Department and contain the date the competent medical specialist completed the report and the name, address, signature and professional license number of the competent medical specialist. The report must also contain the name, address, date of birth and driver's license number, if known, of the driver. A medical agreement as defined in Section 1030.16 of this Part, upon

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execution by the driver, shall be incorporated into and maintained on file with the driver's medical report.

"Minor" - a person under 18 years of age.

"Rehabilitation Institution" - any hospital, center, institute or facility engaged in a program to provide driver training for the disabled.

- b) A person who wishes to practice driving before obtaining his/her driver's license shall obtain an instruction permit from a Secretary of State's Driver Services facility. Upon receipt of an instruction permit, the holder may operate a motor vehicle upon the highways of this State when accompanied by an adult instructor of a driver education program or when practicing with a parent, legal guardian, family member or a person in loco parentis, who is 21 years of age or more and has a license classification to operate such vehicle and at least one year of driving experience, and who is occupying a seat beside the driver.
- c) A minor who wishes to receive an instruction permit shall be at least 15 years old and enrolled in a driver education course. Any minor who has been enrolled in a driver education program out-of-state shall provide proof of such enrollment before he/she shall be issued an Illinois instruction permit. Proof shall consist of a letter from the minor's school on the school's letterhead or other proof deemed acceptable by the Secretary of State. The minor shall complete a driver education course if he/she wants to apply for a driver's license before he/she is 18 years of age. If the minor is 16 years of age or older and has in his/her possession a certificate of completion or the equivalent, from another state's driver education program, he/she shall be eligible to receive an Illinois driver's license upon successful completion of the vision, written and/or road tests. The equivalent for Illinois of a certificate of completion from an out-of-state driver education course shall include but is not limited to, transcripts from the out-of-state attendance center indicating successful completion of the course of instruction or a letter from the state's driver's licensing authority on agency letterhead, attesting to the minor's successful completion of a driver education course approved by the office in the state which regulates education.
- d) A minor who is at least 15 years and 6 months of age may obtain an Illinois instruction permit prior to being enrolled in a driver education course provided he/she:
  - 1) Submits written documentation on a form prepared or approved by the Secretary of State stating that the minor is enrolled in school and proof that the student has received a passing grade in at least 8 courses during the previous 2 semesters as required by the Driver Education Act, or submits a written waiver, pursuant to Section 6-103(1) of the Vehicle Code, from a superintendent or

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chief school administrator:

- 2) Submits a written waiver on a form prepared or approved by the Secretary of State from a superintendent or chief administrator stating that, through no fault of the minor, he/she will be unable to be enrolled in a driver education course until after his/her 16th birthday and the school would have no objection to the issuance of the instruction permit; and
  - 3) Successfully completes the written and vision examinations administered either by an approved driver education instructor or the Secretary of State.
- An Illinois instruction permit issued to a minor under this subsection (d) may be canceled upon receipt of a report from the minor's school on the school's letterhead or other proof deemed acceptable by the Secretary of State stating that the minor has failed to enroll in a driver education course.
- e) The minor who is not legally emancipated by marriage or court order shall have his/her application signed by a parent, guardian, or person in loco parentis and the driver education instructor. The minor shall then be allowed to take the vision and written exams.
  - f) The instruction permit shall be issued to a minor for a period of 2 years upon successful completion of the written and vision exams. If an instruction permit has expired prior to the applicant completing the road test, a second fee as established for driver's instruction permits in Section 6-118(a) of the Illinois Vehicle Code [625 ILCS 5/6-118(a)] must be submitted and the written and vision exams must be successfully completed. The applicant shall present another application to the Secretary of State signed by the parent, guardian, or person in loco parentis. The driver's education instructor shall also sign the application unless the applicant presents a certificate of completion (blue slip).
  - g) Applicants who are not minors shall also be issued instruction permits by the Secretary of State. The permit shall be issued for 1 year upon successful completion of the written and vision exams.
  - h) Applicants whose driving privileges have been canceled based upon receipt by the Department of a medical report indicating the applicant has a medical condition which impairs his/her ability to safely operate a motor vehicle may apply for an instruction permit. The Department shall receive a favorable medical report from a competent medical specialist describing the applicant's needs to undergo a driving evaluation with a driver rehabilitation specialist. The Department shall issue to the applicant an authorization for examination to appear at a Driver Services facility to take the written examination, vision test and submit the required fee as provided in Section 6-118 of the Illinois Vehicle Code [625 ILCS 5/6-118]. Upon successful completion of the written and vision tests, he/she shall be issued, if not otherwise disqualified, an instruction permit, but shall be canceled upon receipt of a written statement from a competent medical specialist that the instruction permit holder has



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failed to successfully complete the driving evaluation or is otherwise unable to safely operate a motor vehicle. A medical restriction card shall be issued by the Department and must be carried with the instruction permit. Upon successful completion of the driving evaluation, the rehabilitation instructor and a competent medical specialist shall notify the Department. The Department shall send the applicant an authorization form instructing him/her to appear at a Driver Services facility to take the drive portion of the examination. Upon the applicant's successful completion of the drive examination, a driver license shall be issued.

- i) An applicant must be at least 16 years old to obtain a class "I" instruction permit. He/she shall have obtained his/her blue slip at the time he/she applies for the "I" instruction permit. If he/she is at least 18 years old, a blue slip is not necessary.
- j) The class "M" instruction permit is issued by the Secretary of State to a person 18 years old or older for a period of 1 year. Class "M" instruction permits shall be issued for period of 2 years to persons 16 or 17 years old who has obtained his/her blue slip at the time he/she applies for the class "M" instruction permit and if they have completed a motorcycle training course approved by the Illinois Department of Transportation as provided by 92 Ill. Adm. Code 455. A certificate of completion card issued by the Illinois Department of Transportation must be furnished to the Secretary of State's Office before an instruction permit shall be issued.
- k) An applicant who is 17 years and 9 months of age or older may obtain an Illinois instruction permit without being enrolled in a driver education course, provided he/she has successfully completed the vision and written exams.
- l) Prior to renewing a commercial driver's license instruction permit, an applicant is required to successfully complete the appropriate CDL knowledge tests specific to that classification of permit being renewed.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1030.80 Driver's License Testing/Written Test

Any applicant for an initial or renewal driver's license who is required to take a written test shall comply with the following provisions:

- a) Classification of licenses is established in Sections 1030.20 through 1030.40 of this Part.
- b) An applicant for a class D license shall be required to take a written test consisting of not more than 35 questions, of which 80% percent must be answered correctly in order to be eligible for a class D license.
- c) An applicant for a class C, B, A, or I-M license shall be required to take the written test as set forth in paragraph b) above. Said

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applicant shall also take a written examination established by the Secretary of State for the classifications) and/or endorsement(s) applied for. The number of questions required to be answered is dependent upon the classification(s) and/or endorsement(s) applied for. Each written classification and/or endorsement examination shall consist of not more than 35 questions, of which 80% percent must be answered correctly in order for the applicant to be eligible for the classification(s) and/or endorsements applied for.

- d) The written examinations set forth in paragraphs b) and c) of this Section shall be in the English language, and may be in any other languages deemed necessary by the Secretary of State, based upon an identifiable demand.
  - e) An applicant who is illiterate shall be given the written examination orally.
  - f) An applicant who cannot read or write in English language, or other available foreign language, shall be eligible to take the written exam. The driver facility supervisor, his/her assistant or designee, may provide or recommend an interpreter for the applicant's language, if an interpreter is readily available. If an interpreter is not readily available, it will be the responsibility of the applicant to obtain the services of an interpreter. The commercial driver's license knowledge test shall only be administered in the English language. An interpreter shall not be allowed when attempting the commercial driver's license knowledge tests.
  - g) An applicant shall demonstrate his/her ability to read and understand official traffic control devices.
  - h) Any licensee who desires to change his/her classification and/or endorsements prior to renewal of such license shall be required to take the written examination for the classification or classifications and/or endorsements said applicant desires to obtain.
  - i) Prior to obtaining a commercial driver's license instruction permit, an applicant must successfully complete the appropriate knowledge tests specific to the instruction permit classification.
  - j) An applicant for a permit to operate a school bus must have in his/her possession an application for Illinois School Bus Driver's Permit (Illinois State Board of Education Form 42.49 Illinois Secretary of State SB.2 Form) or its superseding form. The applicant shall be given a special test consisting of not more than 24 questions, of which 22 must be answered correctly in order to be eligible for such a permit.
- (Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1030.81 Endorsements

- a) For purposes of this Section, the following definitions shall apply:

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"Commercial Driver's License (CDL)" - a driver's license issued by a State to a person, which authorizes that person to drive a certain class of commercial motor vehicle or vehicles (see 625 ILCS 5/6-500). ~~(Section 6-500 of the Illinois Driver Licensing Law of the Illinois Vehicle Code.)~~

"Commercial Motor Vehicle" - a motor vehicle having a Gross Vehicle Weight Rating (GVWR) of 26,001 pounds or more, or such lesser GVWR as subsequently determined by Federal regulations or the Secretary of State; or any combination of vehicles with a Gross Combination Weight Rating (GCWR) of 26,001 pounds or more, provided the GVWR of any vehicles ~~vehicle(s)~~ being towed is 10,001 pounds or more; or a vehicle designed to transport 16 or more persons; or a vehicle transporting hazardous materials that is required to be placarded. The definition does not include recreational vehicles when operated primarily for personal use, military vehicles being operated by non-civilian personnel or firefighting equipment owned or operated by or for a governmental entity.

"Endorsement" - an indication on the driver's license that the driver has qualified to operate certain types and/or combinations of vehicles, and/or carry specified cargo.

"Hazardous Material" - a substance or material in a quantity and form which may pose an unreasonable risk to health and safety or property when transported in commerce. (49 USC 51-S-E-Ar 1802.)

"Representative Vehicle" - a motor vehicle which represents the type that a driver applicant operates or expects to operate.

"Tanker-type Vehicle" - any commercial motor vehicle that is designed to transport any liquid or gaseous material within a tank that is either permanently or temporarily attached to the vehicle. However, a tanker-type vehicle does not include any vehicle in which the tank, that is either permanently or temporarily attached, has a rated capacity of less than 1,000 gallons. ~~(Section 6-500(49) of the Illinois Driver Licensing Law of the Illinois Vehicle Code.)~~

- b) To obtain any of the following endorsements, a commercial driver's license operator must correctly answer 80% of the questions comprising a written knowledge test based on the Illinois Vehicle Code and the Commercial Motor Vehicle Safety Act of 1986 (49 USC 51-S-E- 2704):
- 1) (T) Double or triple trailers (20 questions).
  - 2) (P) Passenger carrying vehicles (16 or more passengers, including the driver). A skills test in a representative vehicle is required (20 questions).

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- 3) (N) Tank vehicles (20 questions).
- 4) (H) Any vehicle carrying hazardous materials which requires placarding (30 questions).
- 5) (X) Combination tank vehicle and hazardous materials endorsement. A knowledge test for tank vehicles (N) and hazardous materials (H) must both be successfully completed prior to obtaining this endorsement (20 questions).

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 1030.130 Grounds for Cancellation of a Probationary License

- a) For purposes of this Section, the following definitions shall apply: **Definitions.**

"Cancellation of License" - the annulment or termination by formal action of the Secretary because the licensee is no longer entitled to such a license. (625 ILCS 5/1-110)

"Cleared Miscellaneous Suspensions" - suspensions for safety responsibility, financial responsibility, unsatisfied judgments, warrant parking/traffic, auto emissions, failure to appear, or curfew that are no longer in effect.

"Driver Improvement Course" - an organized remedial activity approved by the Driver Services Department for improving the driving habits of certain suspended drivers. This course shall consist of individual counseling and/or group sessions of instruction and shall not exceed 2 sessions or a total of 9 hours of instruction.

"Probationary License" - a special license granting full driving privileges during a period of suspension; the license is issued upon successful completion of a driver improvement course.

"Suspension of Driving Privileges" - the temporary withdrawal by formal action by the Secretary to operate a motor vehicle on public highways for a period specifically designated by the Secretary. (625 ILCS 5/1-204)

"Valid Driver's License" - a license issued by the Illinois Secretary of State that is not currently expired, suspended, revoked, or cancelled.

- i) ~~"Probationary License" - a special license granting full driving privileges during a period of suspension; the license is issued upon successful completion of a driver improvement course.~~
- 2) ~~"Driver Improvement Course" - an organized remedial activity~~

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- approved--by--the--Driver--Services--Department--for--improving--the driving--habits--of--certain--suspended--drivers--This--course--shall consist--of--an--individual--connecting--and/or--group--sessions--of instruction--and--shall--not--exceed--two--sessions--or--a--total--of--nine hours--of--instruction;
- 3) ~~renewed--Miscellaneous--Suspensions--suspensions--for--safety responsibility--financial--responsibility--unsatisfied--judgmentary warrant--parking--traffic--auto--emissions--failure--to--appear--or curfew--which--are--no--longer--in--effect~~
- 4) ~~valid--driver's--license--a--license--issued--by--the--Illinois Secretary--of--State--which--is--not--currently--expired--suspended, revoked--or--cancelled~~
- 5) ~~"Suspension--of--Driving--Privileges"--the--temporary--withdrawal--by formal--action--by--the--Secretary--to--operate--a--motor--vehicle--on public--highways--for--a--period--specifically--designated--by--the Secretary; See--Section--1-204--of--the--Illinois--Vehicle--Code~~
- 6) ~~"Cancellation--of--a--license"--the--annulment--of--termination--by formal--action--of--the--Secretary--because--the--licensee--is--no--longer entitled--to--such--a--license; See--Section--1-110--of--the--Illinois Vehicle--Code~~

b) A probationary license Probationary--license as defined in Section 1030.120 of this Part shall be cancelled and/or further action taken against the individual's driving privileges if one of the following situations occurs:

- 1) The Secretary of State receives reliable-written evidence that the individual is less than 18 years of age.
- 2) The Secretary of State receives reliable-written evidence that traffic convictions which were committed prior to the effective date of the suspension entered pursuant to Section 6-206(a)(2) of the Illinois Vehicle Code [625 ILCS 5/6-206(a)(2)] will result in the total points assessed against the individual's driving record to exceed 74 seventy-four (74) points t within a 12 twelve-tiz2 month period, t as determined by the Illinois Offense Table (92 Ill. Adm. Code 1040.20).
- 3) The Secretary of State receives reliable-written evidence that the individual's driving privileges have been suspended or revoked within the past 7 seven-t77 years, excluding cleared miscellaneous suspensions.
- 4) The Secretary of State receives reliable-written evidence indicating that the individual has been arrested, or previously arrested for, an offense which would require mandatory revocation upon conviction pursuant to as-stated-in Section 6-205 of the Illinois Vehicle Code.
- 5) The Secretary of State receives reliable-written evidence that the individual did not attend or failed to complete the driver improvement course.
- 6) The Secretary of State receives a reliable-written report of a traffic offense, excluding those listed in Section 6-204(a)(2) of

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENTS

the Illinois Vehicle Code [625 ILCS 5/6-206(a)(2)], which was committed during the effective period of the probationary license.

- 7) The Secretary of State receives evidence that a traffic conviction was committed on or after the effective date of a suspension and prior to the effective date of the probationary driver's license.

(Source: Amended at 24 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF ADOPTED RULES

- 1) Heading of the Part: General Procedures for Emissions Tests Averaging

- 2) Code Citation: 35 Ill. Adm. Code 283

<u>Section Numbers</u>	<u>Adopted Action</u>
283.110	New Section
283.120	New Section
283.130	New Section
283.210	New Section
283.220	New Section
283.230	New Section
283.240	New Section
283.250	New Section

- 4) Statutory Authority: Section 4 of the Environmental Protection Act [415 ILCS 5/4].

- 5) Effective Date of Rules: September 11, 2000

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does these rules contain incorporations by reference? No

- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Date of Proposal Published in Illinois Register: January 7, 2000, 24 Ill. Reg. 204

- 10) Has JCAR issued a Statement of Objection to these rules? No

- 11) Differences between proposal and final version: There are three differences. First, in the definition of "minor deviation" found in Section 283.130, the phrase "(the procedure of measuring gas velocity at specific points across the cross sectional area of a stack for the purpose of determining the gas velocity profile)" was added after the phrase "a modified sampling traverse". Second, in Section 283.220(b), "approval" was changed to "review". Third, in Section 283.220(c)(4), "shall" was changed to "will".

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? All changes as indicated in the agreements issued by JCAR have been made.

- 13) Will these rules replace emergency rules currently in effect? No

- 14) Are there any rules pending on this Part? No

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF ADOPTED RULES

- 15) Summary and Purpose of Rules: These adopted rules codify an existing Illinois Environmental Protection Agency policy of averaging emission test results for determining whether an emission unit that is subject to State testing requirements is in compliance with an applicable standard or limitation. When conducting a compliance test, an emission unit is considered in compliance with the relevant standard if the average of three or more valid emissions test runs are at or below the level specified in the emissions standard. These rules provide consistency with United States Environmental Protection Agency rules regarding procedures to be used when conducting performance tests for facilities regulated under New Source Performance Standards (40 CFR 60.8).

- 16) Information and questions regarding these adopted rules shall be directed to:

Robert A. Messina  
Assistant Counsel  
Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East, P.O. Box 19726  
Springfield, Illinois 62794-9276  
217/782-5544  
217/782-9143 (TDD)

The full text of the adopted rules begins on the next page:



TITLE 35: ENVIRONMENTAL PROTECTION  
 SUBTITLE B: AIR POLLUTION  
 CHAPTER 11: ENVIRONMENTAL PROTECTION AGENCY  
 PART 283  
 GENERAL PROCEDURES FOR EMISSIONS TESTS AVERAGING

SUBPART A: INTRODUCTION

Section  
 283.110 Purpose  
 283.120 Applicability  
 283.130 Definitions

SUBPART B: PROCEDURES FOR AVERAGING OF TEST RESULTS

283.210 Criteria for Averaging Tests  
 283.220 Test Plan Requirements  
 283.230 Changes to the Test Plan  
 283.240 Averaging Procedure  
 283.250 Compliance Determination

AUTHORITY: Implementing and authorized by Section 4 of the Environmental Protection Act [415 ILCS 5/4].

SOURCE: Old Part repealed at 13 Ill. Reg. 9501, effective June 12, 1989; new Part adopted at 24 Ill. Reg. 14428, effective SEP 11 2000.

SUBPART A: INTRODUCTION

Section 283.110 Purpose

The purpose of this Part is to establish the general procedures and conditions for emissions tests averaging.

Section 283.120 Applicability

For the purpose of determining the compliance of an emission unit with an applicable limitation, standard, or permit conditions, unless otherwise specified by 35 Ill. Adm. Code Subtitle B, the arithmetic average of at least three valid test runs may be used, subject to the limitations and conditions contained in this Part. The emissions tests averaging procedure set forth in this Part may not be used for determining the compliance status of the following types of emission units:

- a) Emission units that are subject to the testing requirements set forth in Section 111 of the Clean Air Act, 42 USC 7401, Section 112 of the Clean Air Act, 42 USC 7402, or the regulations promulgated under those statutes; or

b) Emission units that are being tested for emissions generated by any of the following types of waste: hazardous waste, as defined by Section 3.15 of the Illinois Environmental Protection Act [415 ILCS 5/3.15], or municipal waste, as defined by Section 3.21 of the Illinois Environmental Protection Act [415 ILCS 5/3.21].

Section 283.130 Definitions

Unless otherwise defined in this Section or unless a different meaning of a term is clear from its context, the definitions of terms used in this Part shall have the meanings specified by 35 Ill. Adm. Code 201.102 and 35 Ill. Adm. Code 211.

"Agency" means the Illinois Environmental Protection Agency.

"Continuous steady-state unit" means an emission unit that, as an inherent result of its design or operation, produces a steady-state emissions stream.

"Cyclic steady-state unit" means an emission unit that operates on a batch basis and that exhibits uniform operating parameters and produces similar emissions from batch to batch, and has a batch cycle time such that it is practical to perform a single test run during one or more whole batch cycles.

"Minor deviation" means a change to a test plan that does not affect the stringency of the emission limitation or standard (i.e., no emission limit or standard relaxation); and has no national significance (i.e., the change will not affect the applicable regulation's implementation for other sources in the affected category); and is site-specific (the applicability of the change is determined only for the source at issue). A minor deviation includes, but is not limited to, the following: a modified sampling traverse (the procedure of measuring gas velocity at specific points across the cross sectional area of a stack for the purpose of determining the gas velocity profile) or location to avoid interference from an obstruction in the stack; increasing the sampling time or volume; use of additional impingers for a high moisture situation; accepting particulate emission results for a test run that was conducted with a lower than specified temperature; substitution of a material in the sampling train that has been demonstrated to be more inert for the sampling matrix; and changes in recovery and analytical techniques such as a change in quality control/quality assurance requirements needed to adjust for analysis of a certain sample matrix.

"Qualifying unit" means an emission unit that during normal operating conditions produces a consistent pattern of emissions.

## ENVIRONMENTAL PROTECTION AGENCY

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"Valid test run" means a completed test run, conducted in accordance with a test plan submitted to the Agency, as required under Section 283.220 of this Part, or a test plan modified in accordance with Section 283.230 of this Part.

## SUBPART B: PROCEDURES FOR AVERAGING OF TEST RESULTS

## Section 283.210 Criteria for Averaging Tests

Emissions tests results for an emission unit shall be averaged to determine compliance with the applicable limitation, standard, or permit conditions, provided that all of the following conditions are met:

- a) The emission unit is classified as a continuous steady-state unit, a cyclic steady-state unit, or another qualifying unit;
- b) At least three valid test runs are conducted, subject, however, to the provisions of Section 283.240(c) of this Part; and
- c) Each of the test runs to be averaged is performed according to the test plan submitted to the Agency prior to the test, pursuant to the provisions of Section 283.220 of this Part, or as may otherwise be modified and approved, according to the provisions of Section 283.230 of this Part.

## Section 283.220 Test Plan Requirements

- a) A test plan must be submitted to the Agency when an owner or operator of an emission unit intends to average emissions tests results for that unit.
- b) A test plan must be submitted to the Agency for review prior to conducting any emissions test when any one of the following applies:
  - 1) The Agency makes a written request for a test plan;
  - 2) A non-standard test method or procedure is to be used;
  - 3) A source seeks to test at operating parameters that differ from the maximum parameters specified in its operating permit;
  - 4) A source seeks to deviate from a prior test plan for that emission unit; or
  - 5) A test plan for the emission unit is required to be submitted by an Illinois Pollution Control Board Order, any court order, consent decree, Compliance Commitment Agreement, or permit provision.
- c) A test plan must specify:
  - 1) The purpose of the test;
  - 2) The operating parameters;
  - 3) The test methods; and
  - 4) Any other procedures that will be followed when conducting an emissions test pursuant to the provisions of this Part.
- d) Notwithstanding subsections (a), (b), and (c) above, a test plan need not be submitted under the following circumstances:
  - 1) Where the source intends to utilize a test plan previously

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF ADOPTED RULES

submitted to the Agency. However, the source must submit a notice containing the following:

- A) The purpose of the test;
- B) Date the previously submitted test plan was submitted to the Agency; and
- C) A statement that the source is relying on a previously submitted test plan.

- 2) Where the source intends to use a standard test method or procedure. However, the source must submit a notice containing the following:
  - A) The purpose of the test; and
  - B) The standard test method or procedure to be used.

- e) The Agency is not required to review and approve or disapprove a test plan prior to the owner or operator of an emission unit conducting an emissions test.

## Section 283.230 Changes to the Test Plan

- a) The owner or operator of an emission unit, or an authorized representative, may change the procedures, methods, or operating parameters of the emissions test at the time of the emissions test, provided that the change is a minor deviation as defined in Section 283.130 of this Part. The emission unit owner or operator shall ensure that documentation of the change is submitted to the Agency along with the test results.
- b) If the owner or operator of an emission unit elects to use the provisions of subsection (a) of this Section, the following procedures shall apply, depending on the relevant circumstances:

- 1) If a representative of the Agency is on-site for the purpose of witnessing the emissions test, the owner or operator of the emission unit or an authorized representative may request permission from the Agency's representative to change the procedures, methods, or operating parameters of the emissions test as specified in the test plan, submitted pursuant to the provisions of Section 283.220 of this Part, provided that the change is a minor deviation, as defined in Section 283.130 of this Part.

- a) If the Agency representative approves the minor deviation, all test runs performed with this minor deviation may not be deemed invalid test runs by the Agency on the sole basis of the minor deviation.
- b) If the Agency representative disapproves the change to the procedures, methods, or operating parameters of the emissions test as specified in the test plan, then the owner or operator of the emission unit or an authorized representative may elect to perform the emissions test with the change. However, the Agency may subsequently disapprove the emissions test results if it finds that a valid test run

## ENVIRONMENTAL PROTECTION AGENCY

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was not obtained as a result of the change.

- 2) If an Agency representative is not on-site for the purpose of witnessing the emissions test, the owner or operator of the emission unit or an authorized representative may elect to change the procedures, methods, or operating parameters of the emissions test as specified in the test plan, provided the change is a minor deviation, as defined in Section 283.130 of this Part. However, the Agency may disapprove the emissions test results if it finds that a valid test run was not obtained as a result of the change.

**Section 283.240 Averaging Procedure**

The following procedure shall be used when averaging emissions tests results:

- The average of the emissions tests results shall be determined by the arithmetic average of three valid test run results, as long as the test runs are conducted in conformance with either the provisions of an approved test plan or with a test plan that has been modified in accordance with Section 283.230 of this Part.
- Notwithstanding subsection (a) of this Section, if the owner or operator of an emission unit elects to perform more than three test runs, then the average shall be calculated based upon the results of all valid test runs.
- Notwithstanding subsection (a), in the event that a sample is accidentally lost or conditions occur in which one of the test runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, malfunction or other dissimilar or non-representative circumstances, upon the owner's or operator's documentation of the existence of any of the circumstances set forth in this subsection (c) and verification by the Agency that the conditions existed, compliance may be determined by using the arithmetic average of the test results of all remaining valid test runs; however, a minimum of two valid test runs is required to determine compliance.

**Section 283.250 Compliance Determination**

- An emission unit will be determined to be in compliance with the applicable limitation, standard, or permit conditions when the average of the test results is either at or below the emission limit, standard, or permit conditions, and the test plan for the emission unit, submitted in accordance with Section 283.220 of this Part or as modified in accordance with Section 283.230 of this Part, has not been disapproved by the Agency.
- If an owner or operator of an emission unit does not meet the criteria for averaging under Section 283.240 of this Part, then each individual valid test run shall be required to meet the applicable limitation, standard, or permit conditions in order to demonstrate compliance.

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: School-Based/Linked Health Centers

- 2) Code Citation: 77 Ill. Adm. Code 2200

- 3) Section Numbers:  
2200.5 New Section  
2200.15 New Section  
2200.70 Amendment

- 4) Statutory Authority: Implementing the Developmental Disability Prevention Act (410 ILCS 250), the Lead Poisoning Prevention Act (410 ILCS 45), the Infant Mortality Reduction Act (410 ILCS 220) and the Problem Pregnancy Health Services Care Act (410 ILCS 230) and authorized by Sections 80-15 and 80-30 of the Department of Human Services Act [20 ILCS 1305/80-15 and 80-30].

- 5) Effective Date of Amendments: September 13, 2000

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Do these amendments contain incorporations by reference? No

- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Notice of Proposal Published in Illinois Register: 5/26/2000, 24 Ill. Reg. 7584

- 10) Has JCARR issued a Statement of Objection to these amendments? No

- 11) Differences between proposal and final version: In Section 2200.5 (b), added two sentences at the end of (b): "Periodic inspections may be performed at any time, but shall be performed at least annually. Periodic inspections shall be made to ensure compliance with this Part." In Section 2200.15 (b)(8), deleted language "unless suspended earlier by the Department" and added "provided the Center continues to meet the requirements outlined in this Part".

- 12) Have all the changes agreed upon by the agency and JCARR been made as indicated in the agreement letter issued by JCARR? Yes

- 13) Will this rulemaking replace an emergency rulemaking currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendments: The School Based/Linked Health Centers

DEPARTMENT OF HUMAN SERVICES  
NOTICE OF ADOPTED AMENDMENTS

rule is being amended to clarify that DHS certifies and re-certifies the Centers based on the requirements found in the rule. The clarification is necessary in order to make the rule compatible with the Department of Public Aid rules relative to medical reimbursement to the Centers.

- 16) Information and questions regarding this adopted rule shall be directed to:

Ms. Susan Weir, Bureau Chief  
Bureau of Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
3rd Floor, Harris Bldg.  
Springfield, Illinois 62762  
(217) 785-9772

The full text of adopted amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES  
NOTICE OF ADOPTED AMENDMENTS

TITLE 77: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER J: SCHOOL-BASED/LINKED HEALTH CENTERS

PART 2200

SCHOOL-BASED/LINKED HEALTH CENTERS

Purpose	Section
Definitions	2200.5
Certification/Re-certification	2200.10
Introduction	2200.15
Organizational Structure	2200.20
Policies and Procedures	2200.30
Compliance Standards	2200.40
Scope of Services	2200.50
Staffing Standards	2200.60
Access Standards	2200.70
Student Identification	2200.80
Data, Medical Record Keeping, Exchange and Confidentiality	2200.90
Care Coordination	2200.100
Student Rights and Responsibilities	2200.110
Quality Improvement Standards	2200.120
Marketing and Community Outreach	2200.130
Finance	2200.140
	2200.150

**AUTHORITY:** Implementing the Developmental Disability Prevention Act (410 ILCS 250), the Lead Poisoning Prevention Act (410 ILCS 45), the Infant Mortality Reduction Act (410 ILCS 220) and the Problem Pregnancy Health Services Care Act (410 ILCS 230) and authorized by Sections 80-15 and 80-30 of the Department of Human Services Act (20 ILCS 1305/80-15 and 80-30).

**SOURCE:** Adopted at 23 Ill. Reg. 1662, effective January 20, 1999; amended at 24 Ill. Reg. 14435, effective SEP 13 2000.

**Section 2200.5 Purpose**

- a) The requirements set forth in this Part establish criteria for certification of School-Based/Linked Health Centers (Center).  
b) These requirements shall be used by the Department for certification, re-certification, and periodic inspection of Centers. Periodic inspections may be performed at any time, but shall be performed at least annually. Periodic inspections shall be made to ensure compliance with this Part.

(Source: Added at 24 Ill. Reg. 14435, effective SEP 13 2000), effective



## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

**Section 2200.15 Certification/Re-certification**

a) A Center may be certified and re-certified by the Department as set forth in this Part.

b) Center Certification

1) A sponsoring agency's request for certification shall be in writing and submitted to the Illinois Department of Human Services.

2) Applicants for certification will be accepted from programs or parent organizations of programs that have a history of providing comprehensive school health services.

3) Applicants shall submit evidence that they are in compliance with all applicable Department audit requirements as specified in 89 Ill. Adm. Code 507.

4) Prior to certification, the Department shall conduct an on-site inspection.

5) Based upon the on-site inspection, the Department will certify the program if the Department determines that:

- A) the applicant has proven that it meets the standards as set forth in this Part;
- B) the sponsoring agency operating the program is fiscally sound and responsible;
- C) the program management is experienced in business and in the delivery of comprehensive school health services.

6) The Department shall notify the sponsoring agency of certification or denial of certification within 60 calendar days.

a) Approval of Certification  
If the Department certifies the program, it shall include the IDPA Medicaid enrollment forms with the letter of certification.

b) Denial of Certification

If the Department is not able to certify the program based on the criteria outlined in this Part, the Department shall notify the applicant in writing, describing those deficiencies that will result in a denial of certification. The applicant has 60 days after receipt of the notice to correct the deficiencies and supply the new information to the Department. If the new information indicates that the program meets the criteria of this Part, the Department shall certify the applicant. If the program continues to fail to meet the requirements of this Part, the Department shall deny the application for certification. If certification is denied, the applicant may appeal the Department's decision and request a hearing pursuant to 89 Ill. Adm. Code 508 (Administrative Hearings).

b) Certification shall be effective on the date of approval by the Department and shall remain in effect for two years provided the Center continues to meet the requirements outlined in this Part.

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## NOTICE OF ADOPTED AMENDMENTS

Upon certification, the Center may deliver services to Medicaid recipients that will be reimbursable after the applicant completes the IDPA Medicaid enrollment procedure. The Center is responsible for complying with all Medicaid policies (89 Ill. Adm. Code 140). Should a Center's ownership change, a new certification must be obtained within 60 days.

9) Re-certification

a) To be eligible for re-certification, a Center shall be in compliance with all provisions of this Part.

b) To be eligible for re-certification, a Center that receives funding from the Department shall be in compliance with all applicable Department audit requirements specified in 89 Ill. Adm. Code 507.

c) The Department shall review all documents and the results of the last inspection and shall re-certify based on the standards set forth in this Part.

10) Denial of Re-certification

If the Department is not able to re-certify the Center based on its review and inspection, the Department shall notify the applicant in writing, describing those deficiencies that will result in a denial of re-certification. The applicant has 45 calendar days after receipt of the notice to correct the deficiencies and supply the new information to the Department.

If the new information indicates that the Center meets the criteria of this Part, the Department shall re-certify the Center. If the Center continues to fail to meet the requirements of this Part, the Department shall deny the application for re-certification and shall notify the applicant in writing, giving the reasons for the denial. The provider may appeal the Department's decision and request a hearing pursuant to 89 Ill. Adm. Code 508 (Administrative Hearings).

(Source: Added at 24 Ill. Reg. 14435, effective SEP 13 2000)

**Section 2200.70 Staffing Standards**

The Center must deliver care to students by Illinois licensed, registered and/or certified health professionals who are trained and experienced in community and school health, and who have knowledge of health promotion and illness prevention strategies for children and adolescents. The Center's sponsoring agencies ensures that all providers are appropriately credentialed.

a) Recommended on-site Center staff include the following:

- 1) Medical Director or physician, consultant consultant or back-up physician (family practitioner, pediatrician or adolescent specialist) who has equivalent practice privileges in at least one licensed Illinois hospital, can provide medical consultation and referral, ensures compliance with the policies and procedures

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pertaining to medical and surgical procedures, and signs standing orders/protocols for mid-level practitioners and observes the same in practice;

- 2b) Nurse practitioner or physician assistant who must operate under the standing orders of a physician (family practitioner);
  - 3) Clinically trained mental health practitioner (master's level social worker, psychologist, certified psychiatric nurse, or mental health staff (bachelor prepared social worker or psychology major working toward master's preparation) to provide individual assessment, treatment, and referral, as well as group and family counseling;
  - 4) Medical receptionist/secretary and/or medical support staff (health aide, medical assistant, or licensed practical nurse) to maintain medical records, collect and enter data, bill for services, make appointments and greet students;
  - 5) Certified and licensed substance abuse prevention/intervention specialist; and
  - 6) Health educator, dentist/dental hygienist, nutritionist.
- b) The staff is assigned responsibilities consistent with their education and experience, supervised and evaluated annually, and trained in the policies and procedures of the Center.
- c) The staff must participate in minimal, annual ongoing professional development programs to update and enhance their knowledge of community and school health promotion, illness prevention, and health strategies for children and adolescents. Documentation must be available in personnel records or a continuing education file.
- d) The staff must be currently trained in emergency care, including general first aid, cardiopulmonary resuscitation, and the Heimlich maneuver.
- e) The Center must have a written emergency plan for disaster ~~disasters~~ and for crisis intervention ~~interventions~~ that is consistent with the school's plan and coordinated with the community emergency response system. The staff must be trained in implementing these plans.
- f) The Center that contracts with an outside agency for the provision of mental health and/or substance abuse services must assure that the contracting agency has experience in providing care to children and adolescents, is duly licensed if subject to licensure, and has adequate liability coverage.
- g) The Center will document in the student's record that a referral was made and indicate follow up on the outcome of the referral, when relevant, and the health care provided by the Center.

(Source: Amended p. ~~8~~<sup>8</sup> 24 Ill. Reg. ~~14435~~<sup>14440</sup>, effective September 2000.)

## STATE OF ILLINOIS TREASURER

## NOTICE OF ADOPTED RULES

1) Heading of the Part: College Savings Pool

2) Code Citation: 23 Ill. Adm. Code 2500

Section Number:	Adopted Action:
2500.10	New
2500.20	New
2500.30	New
2500.40	New
2500.50	New
2500.60	New
2500.70	New
2500.80	New
2500.90	New
2500.100	New
2500.110	New
2500.120	New
2500.130	New

4) Statutory Authority: 15 ILCS 505/16.5

5) Effective Date of Rules: September 12, 2000

6) Does this rulemaking contain an automatic repeal data? No

7) Do these rules contain incorporations by reference? Yes

8) A copy of the adopted rules, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in the Illinois Register: 24 Ill. Reg. 6399, April 14, 2000

10) Has JCPR issued a Statement of Objection to these rules? No

11) Differences between proposal and final version: In definition section for term "Qualified Expenses", the words "as specified under the Code" were added.

In Section 2500.30 (b), the words "for the North Central Region" were deleted and the words "pursuant to 26 USC 2" were added.

In Section 2500.40 (a), the words "in accordance with 15 ILCS 505" were added and the words "with United States Treasury obligations having maturities of ten years or less, the principal and interest on which are guaranteed as to the timely payment by the United States, in an amount

## ILLINOIS REGISTER

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equal to 10% of the amount of deposit to be collateralized" were substituted for the word "fully." In Section 2500.40 (b), the following words were added: "The Treasurer shall seek to place such deposits at a participating financial institution whose main address is in close geographic proximity to the participating financial institution that has revoked its election to accept such deposits". In Section 2500.40 (e) the following words were deleted: "in accordance with collateralization guidelines developed by the Treasurer".

In Section 2500.70 (c), the following words were added: "in accordance with the provisions of Section 529 of the Code".

In Section 2500.130 (a), the following words were added: "as provided in Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40]".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter? Yes

13) Will these rules replace emergency rules currently in effect? Yes

14) Are there any rules pending on this Part? No

15) Summary and Purpose of the Rules: The rules cover the requirements for the Treasurer to establish and administer the College Savings Pool as a qualified State tuition program under Section 529 of the Code, thus providing participants with the federal tax benefits provided in Section 529 of the Code. The pool has been structured to enable participants to own an interest in a pool of assets, which may include, but need not be limited to, equities, bonds, money market instruments, financial institution deposits or investment funds consisting primarily of such assets. The Treasurer holds the assets of the pool in trust for the benefit of the participants and designated beneficiaries. The trust shall be an instrumentality of the State of Illinois.

16) Information and questions regarding these rules shall be directed to:

Martin O. Noven  
Deputy Chief of Staff  
Office of the Illinois State Treasurer  
100 W. Randolph Street, Suite 15-600  
Chicago, Illinois 60601  
(312) 814-8950

The full text of the adopted rules begins on the next page:

TITLE 23: EDUCATION AND CULTURAL RESOURCES  
CHAPTER XVI: TREASURER  
PART 2500  
COLLEGE SAVINGS POOL

Section	Purpose
2500.10	Definition of Terms
2500.20	Participation Requirements
2500.30	Deposits at Participating Financial Institutions
2500.40	Investment Policy
2500.50	Record Keeping
2500.60	Withdrawals
2500.70	Administrative Expenses
2500.80	Account Limits
2500.90	Debt
2500.100	Program Documents
2500.110	Private Contractors
2500.120	Amendment of Rules
2500.130	

AUTHORITY: Implementing and authorized by Section 16.5 of the State Treasurer Act [15 ILCS 505/16.5].

SOURCE: Adopted by emergency rule at 24 Ill. Reg. 6118, effective March 24, 2000, for a maximum of 150 days; emergency expired August 22, 2000; adopted at 24 Ill. Reg. 14441, effective SEP 12 2000.

## Section 2500.10 Purpose

The Treasurer shall establish and administer the pool as a qualified State tuition program under Section 529 of the Code, thus providing participants with the federal tax benefits provided in Section 529 of the Code. The pool shall be structured to enable participants to own an interest in a pool of assets, which may include, but need not be limited to, equities, bonds, money market instruments, financial institution deposits or investment funds consisting primarily of such assets. The Treasurer in a manner that is in compliance with federal and State securities laws shall issue interests in the pool. The Treasurer shall hold the assets of the pool in trust for the benefit of the participants and designated beneficiaries. In order to qualify the pool as a qualified state tuition program under Section 529 of the Code and to so hold such assets of the pool in trust, the Treasurer may create a trust by declaration of trust. The trust shall be an instrumentality of the State of Illinois.

## Section 2500.20 Definition of Terms

The following definitions shall apply to this Part:

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"Act": Public Act 91-0607 of the State of Illinois, which created Section 16.5 (College Savings Pool) of the State Treasurer Act [15 ICS 505/16.5].

"Administrative Expenses": All expenses associated with the implementation, administration and marketing of the pool, including fees payable to third parties providing services related to the implementation, administration and marketing of the pool. Investment expenses such as the internal fees and expenses of an investment fund in which assets of the pool are invested and other similar expenses shall not be considered administrative expenses.

"Account": An individual investment account established and maintained in the pool.

"Applicant": Any person that is in the process of applying to open an account in the pool.

"Code": The Internal Revenue Code of 1986, as amended (26 USC 1 et seq.).

"Deposits": The deposits to be made by the Treasurer on behalf and for the benefit of the account owners with financial institutions accepting deposits, as required by the Act.

"Designated Beneficiary": The designated individual whose qualified expenses are expected to be paid from an account. A designated beneficiary may be the individual designated on the application, a new beneficiary in the case of a change of beneficiaries, or an individual receiving a scholarship from the State, a local government, or a not-for-profit corporation.

"Earnings": The aggregate total of all dividends and interest income received by the College Savings Pool, at any time following the pool's commencement. Such aggregate total of dividends and interest income shall be reduced by the aggregate total of administrative expenses paid out of the pool at any time following the commencement of the pool. Earnings shall be determined without regard to realized or unrealized capital gains and losses incurred by the pool.

"Institutions of Higher Education": Educational institutions that are described in Section 481 of the Higher Education Act of 1965 (20 USC 1988), as in effect on August 5, 1997, and are eligible to participate in a program under title VI of that Act. The term may include, but is not limited to, community colleges, public and private four-year colleges, universities, graduate and post-graduate programs and certain proprietary and vocational schools as allowed by Section 481.

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"Participant": An owner of an account on behalf of a designated beneficiary.

"Participating Financial Institution": Any financial institution insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration and lawfully doing business in the State of Illinois, and any credit union lawfully doing business in the State of Illinois that has executed a selling agreement with the Treasurer or his or her agent.

"Pool": The College Savings Pool authorized to be established under the Act.

"Prevailing Interest Rate": The interest rate offered by a participating financial institution to an ordinary customer seeking to deposit a given amount of money at the institution. The prevailing interest rate may be lower than the rate that is offered to certain preferred customers.

"Qualified Expenses": To the extent treated as "qualified higher education expenses" under Section 529 of the Code, tuition, fees, books, supplies, equipment and costs for room and board (subject to certain limits as specified under the Code).

"Treasurer": The duly elected Treasurer of the State of Illinois or his or her designee or designees, which may include one or more third party service providers.

## Section 2500.30 Participation Requirements

- a) Participants on behalf of designated beneficiaries shall make contributions to the pool. Any person residing in the United States at the time the account is processed may be a participant. Any person may be a designated beneficiary. Contributions may be made only in cash and not in property. Cash contributions may be made by check, money order or similar methods. Cash contributions may not be made by credit card.
- b) New accounts in the pool shall be processed through participating financial institutions. A participating financial institution may charge a processing fee that does not exceed \$30, until the year 2001, to a participant to open an account in the pool. Participating financial institutions shall be responsible for collecting the processing fee directly from an applicant. On January 2, 2001 and on January 2 of every year thereafter, the Treasurer shall adjust the maximum processing fee based on the Consumer Price Index as published by the United States Department of Labor, Bureau of Labor Statistics pursuant to 26 USC 2 for the immediately preceding calendar year. Participating financial institutions shall be notified by the

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Treasurer or its agent of such adjustment.

- c) The Treasurer shall create applications for participation in the pool to be completed by the applicant and the participating financial institution. The applicant and the participating financial institution shall be responsible for providing all of the information requested by the Treasurer. The Treasurer shall keep all information received from applicants confidential and may only share the information with third parties to the extent required to operate the pool. Participating financial institutions shall be required to provide information regarding the participating financial institution on the application to enable the Treasurer to open an account for the applicant and verify that the account was processed through a participating financial institution. Applications that have the relevant section completed by the participating financial institution shall be deemed to be processed through the participating financial institution. Completed applications must be sent to a mailing address specified in the application form.
- d) Applications shall include an initial contribution to the pool of an amount that is at least \$25 in the form of a check or money order payable to the pool. Applications that are incomplete and applications that fail to meet the guidelines established by the Treasurer in an effort to comply with Section 529 of the Internal Revenue Code shall be rejected.
- e) Subsequent contributions to the pool shall be in an amount of at least \$15 and may be made by the participant directly to the pool. Subsequent contributions may be made electronically or in the form of a check or money order, payable to the pool.

#### Section 2500.40 Deposits at Participating Financial Institutions

- a) The Treasurer, in accordance with the State Treasurer Act [15 ICs 505], shall make a percentage of each account processed by a participating financial institution available for investments as deposits in participating financial institutions. Unless a participating financial institution elects not to accept the deposits or is prohibited by law from accepting the deposits, the Treasurer will make deposits in such participating financial institution in an amount that is at least as great as the percentages provided in the Act, provided that the deposit is federally insured or collateralized with United States Treasury obligations having maturities of ten years or less, the principal and interest on which are guaranteed as to the timely payment by the United States, in an amount equal to 10% of the amount of deposit to be collateralized. The required percentage of each account to be invested in these deposits shall be invested in all participating financial institutions accepting deposits.
- b) All participating financial institutions required by the Act at least annually. A participating financial institution that elects to accept deposits shall be entitled to receive the deposits related to the

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accounts processed through the participating financial institution as long as the accounts exist, unless the institution is prohibited by law from accepting the deposits. A participating financial institution may choose to revoke its election to accept deposits for existing accounts or may assign its right to those deposits to another participating financial institution that accepts these deposits. If a participating financial institution revokes its election to accept deposits for existing accounts, the Treasurer shall invest the deposits to which the participating financial institution would otherwise be entitled in one or more participating financial institutions selected by the Treasurer. The Treasurer shall seek to place such deposits at a participating financial institution whose main address is in close geographic proximity to the participating financial institution that has revoked its election to accept such deposits. The Treasurer shall, until each annual adjustment date, invest in deposits at financial institutions selected by the Treasurer. The Treasurer may aggregate multiple deposits to a participating financial institution.

- c) Participating financial institutions shall offer to the College Savings Pool their full range of deposit products at prevailing interest rates. Participating financial institutions shall make time deposits available to the pool at prevailing interest rates for certificates of deposit whether or not the amounts of the deposits meet the minimum investment amount required to purchase certificates of deposit. The Treasurer may require that, when a time deposit is redeemed in part prior to maturity, the participating financial institution will apply any penalty only to the redeemed portion and not to the non-redeemed portion of the time deposit. The Treasurer may require participating financial institutions to provide written confirmation that the rates offered to the pool are prevailing interest rates.
- d) The deposits in participating financial institutions shall be pooled.
- e) To the extent that a deposit is not insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration, the Treasurer shall require that the deposit is fully collateralized.

#### Section 2500.50 Investment Policy

The Treasurer shall select the investment options to be offered by the pool to the participants. The Treasurer shall, by the commencement date of the pool and by July 1 of each year thereafter, develop, publish and implement an investment policy covering the investment of monies in the pool. Such policy may be amended at any time and shall be published 30 days prior to implementing the policy in accordance with the Act. The investment policy shall govern the investment of accounts, including the investment options available to participants. No participant or designated beneficiary may directly or indirectly direct the investment of any contributions to an account or any earnings on an account. The investment strategy may not be changed by the



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participant after it is selected at the time the initial contribution establishing the account is made. Such investment policy shall permit moneys in the pool to be invested in the same manner and in the same types of investments, and subject to the same limitations provided for the investment of moneys by the State Board of Investments.

**Section 2500.60 Record Keeping**

The Treasurer shall maintain records that enable the Treasurer to produce a report for each account in the pool at least annually that documents the account balance and investment earnings. There shall be a separate accounting for each account and contributions to each account and any earnings attributable to the account must be allocated to the appropriate account. The Treasurer shall provide, or cause to be provided, to each participant and to the participating financial institution at which the account was processed, at least annually, an account statement showing the total account balance, the investment in the account, and the earnings and distributions from the account.

**Section 2500.70 Withdrawals**

- a) There shall be no penalty assessed for withdrawals for qualified expenses, withdrawals for expenses other than qualified expenses upon the death or disability of the designated beneficiary in accordance with the provisions of Section 529 of the Code, or for withdrawals for expenses other than qualified expenses if the designated beneficiary receives a scholarship (or allowance or payment described in Section 135(d)(1)(b) or (c) of the Code) that equals or exceeds the distribution. In addition, no penalty shall be assessed on a transfer from an account of a designated beneficiary to an account of another designated beneficiary that is a member of the family of the original designated beneficiary. Also, no penalty shall be assessed on a distribution from an account of a designated beneficiary that is deposited within 60 days after the distribution into an account of another designated beneficiary that is a member of the family of the original designated beneficiary. "family" is defined in Section 529(e) of the Code.
- b) For all withdrawals or distributions other than those listed in subsection (a), the Treasurer shall assess a penalty, at the time the distribution is made, of 10% of the earnings, and may also assess a penalty to cover costs associated with the redemption of deposits prior to maturity. The calculation of the portion of a distribution that constitutes earnings subject to this penalty shall be in accordance with the provisions of Section 529 of the Code.
- c) The Treasurer shall implement practices and procedures to identify whether a distribution is subject to a penalty and to collect any penalty that is due. These practices and procedures shall meet the safe harbor requirements under Section 529 of the Code and the regulations promulgated under that statute.

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**Section 2500.80 Administrative Expenses**

- a) The administrative expenses of the College Savings Pool shall be paid from its earnings.
- b) Administrative expenses shall be paid from earnings and shall be allocated among the pool's underlying investment portfolios in an equitable manner determined by the Treasurer. Investment earnings in excess of the administrative expenses of the pool and all monies collected by the pool as penalties as a result of withdrawals that are not used to pay qualified expenses, after the payment of expenses shall be credited or paid monthly to participants in the pool in a manner that equitably reflects the differing amounts of their respective investments in the pool and the differing periods of time for which those amounts were in the custody of the pool, and shall be allocated among the pool's underlying investment portfolios in a manner equitably determined by the Treasurer.
- c) In the event that the Treasurer is obligated to pay administrative expenses of the pool, but the pool has insufficient earnings to make such payment, the obligation to pay the administrative expenses may accrue, but the Treasurer shall not pay the administrative expenses until such time as the pool has sufficient earnings to support such payment.
- d) The Treasurer may permit a third party service provider to provide compensation to participating financial institutions or other financial services providers that promote the pool to their customers, provided that the cost of the compensation is not passed on to participants.

**Section 2500.90 Account Limits**

No participant may make a contribution to an account if the contribution would result in the aggregate balance of all accounts under all qualified State tuition programs qualifying under Section 529 of the Code for a particular designated beneficiary exceeding the account balance limit established by the Treasurer. The account balance limit shall be the same for all accounts of designated beneficiaries with the same expected year of enrollment (\$160,000), and may be the same for all accounts in the pool.

**Section 2500.100 Debt**

The pool may not incur any indebtedness. The interests of the participants and the designated beneficiaries shall not be treated as indebtedness under this Section.

**Section 2500.110 Program Documents**

In order to establish and administer the pool, the Treasurer may enter into all necessary documents and instruments with terms and provisions that shall not be

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inconsistent with the Act, Section 529 of the Code and the regulations promulgated under the Code, or this Part.

**Section 2500.120 Private Contractors**

The Treasurer may select one or more entities to assist the Treasurer in managing the pool. However, the Treasurer shall set all terms and conditions of the pool. The Treasurer shall be responsible for selecting, supervising, monitoring, auditing and terminating any private contractor that provides services under the pool. The Treasurer shall hold any such private contractors to the same standards and requirements that apply when private contractors handle funds that belong to the State.

**Section 2500.130 Amendment of Rules**

- a) Notice of any proposed substantive amendment to this Part shall be provided to all participants prior to adoption as provided in Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].
- b) Any amendment to this Part shall only apply to contributions made after the adoption of the amendment.

DEPARTMENT OF AGRICULTURE  
NOTICE OF PEREMPTORY AMENDMENTS

- 1) Heading of the Part: Meat and Poultry Inspection Act

- 2) Code Citation: 8 Ill. Adm. Code 125

- 3) Section Numbers: Peremptory Action:  
125.270 Amended  
125.350 Amended

- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act [225 ILCS 650]; the Federal Meat Inspection Act (21 USCA 661); the Federal Poultry Products Inspection Act (21 USCA 454); and 65 FR 53531.

- 5) Statutory Authority: The Meat and Poultry Inspection Act [225 ILCS 650].

- 6) Effective Date: September 15, 2000

- 7) A Complete Description of the Subjects and Issues Involved: In order to maintain an "equal to" status with the federal poultry products inspection program as required by the federal Poultry Products Inspection Act and in accordance with Section 16 of the Meat and Poultry Inspection Act, the Department is adopting amendments to the federal poultry products inspection rules.

This rulemaking contains corrections to the final rule "Elimination of Requirements for Partial Quality Control Programs" which was published on May 30, 2000 in the *Federal Register* (65 FR 34381) and effective August 28, 2000.

As published, the final rule contained errors in the regulatory text that could prove to be misleading because they are inconsistent with the preamble explanation.

As FSIS noted in the preamble to the final rule eliminating PQC requirements, the proposed rule on the subject would have provided options for handling process deviations and finished product inspections to thermal processing establishments that were not yet subject to the PR/HACCP regulations. These corrections appear at 65 FR 53531 (effective August 28, 2000 and published in the September 5, 2000 *Federal Register*).

- 8) Does this rulemaking contain an automatic repeal date? No

- 9) Date Filed with the Index Department: September 15, 2000

- 10) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

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- 11) This rule is in compliance with Section 5-50 of the Illinois Administrative Procedure Act.
- 12) Are there any proposed amendments pending to this Part? No
- 13) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 14) Information and questions regarding this peremptory amendment, shall be directed to:

Linda Rhodes  
Illinois Department of Agriculture  
State Fairgrounds, P.O. Box 19281  
Springfield, Illinois 62794-9281  
217/785-5713  
Facsimile: 217/785-4505

The full text of the Peremptory Amendments begins on the next page:

DEPARTMENT OF AGRICULTURE  
NOTICE OF PEREMPTORY AMENDMENTS  
TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER 1: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER C: MEAT AND POULTRY INSPECTION ACT

PART 125

MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR  
POULTRY INSPECTION

Section	
125.10	Definitions
125.10	Incorporation by Reference of Federal Rules
125.20	Application for License; Approval
125.30	Official Number
125.40	Inspections; Suspension or Revocation of License
125.50	Administrative Hearings; Appeals (Repealed)
125.60	Assignment and Authority of Program Employees
125.70	Schedule of Operations; Overtime
125.80	Official Marks of Inspection, Devices and Certificates
125.90	Records and Reports
125.100	Exemptions
125.110	Disposal of Dead Animals and Poultry
125.120	Reportable Animal and Poultry Diseases
125.130	Detention; Seizure; Condemnation
125.140	Sanitation Standard Operating Procedures (SOP's)
125.141	Hazard Analysis and Critical Control Point (HACCP) Systems
125.142	Imported Products
125.143	Preparation and Processing Operations
125.144	

SUBPART B: MEAT INSPECTION

Section	
125.150	Livestock and Meat Products Entering Official Establishments
125.160	Equine and Equine Products
125.170	Facilities for Inspection
125.180	Sanitation (Repealed)
125.190	Ante-Mortem Inspection
125.200	Post-Mortem Inspection
125.210	Disposal of Diseased or Otherwise Adulterated Carcasses and Parts
125.220	Humane Slaughter of Animals
125.230	Handling and Disposal of Condemned or Other Inedible Products at Official Establishment
125.240	Rendering or Other Disposal of Carcasses and Parts passed for Cooking
125.250	Marking Products and Their Containers
125.260	Labeling, Marking and Containers
125.270	Entry into Official Establishment; Reinspection and Preparation of Product

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125.280 Meat Definitions and Standards of Identity or Composition  
 125.290 Transportation  
 125.290 Imported Products (Repealed)  
 125.295 Special Services Relating to Meat and Other Products  
 125.300 Exotic Animal Inspection  
 125.305

## SUBPART C: POULTRY INSPECTION

Section  
 125.310 Application of Inspection  
 125.320 Facilities for Inspection  
 125.330 Sanitation (Repealed)  
 125.340 Operating Procedures  
 125.350 Ante-Mortem Inspection  
 125.360 Post-Mortem Inspection; Disposition of Carcasses and Parts  
 125.370 Handling and Disposal of Condemed or Inedible Products at Establishments  
 125.380 Labeling and Containers  
 125.390 Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements  
 125.400 Definitions and Standards of Identity or Composition  
 125.410 Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by the Meat and Poultry Inspection Act [225 ILCS 650] and Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16].

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 4, 1986; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1986; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3218, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 14, 1986; peremptory amendment at 10 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11

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111. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10221, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 1, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 13, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 3, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; peremptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; peremptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; peremptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; peremptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; peremptory amendment at 16 Ill. Reg. 11963, effective July 24, 1992; peremptory amendment at 16 Ill. Reg. 16337, effective October 19, 1992; peremptory amendment at 16 Ill. Reg. 17165, effective October 21, 1992; peremptory amendment at 16 Ill. Reg. 17637, effective February 12, 1993; peremptory amendment at 17 Ill. Reg. 2063, effective September 7, 1993; peremptory amendment at 17 Ill. Reg. 15755, effective September 8, 1993; peremptory amendment at 17 Ill. Reg. 16238, effective October 5, 1993; peremptory amendment at 17 Ill. Reg. 18215, effective December 23, 1993; peremptory amendment at 18 Ill. Reg. 304, effective December 23, 1993; peremptory amendment at 18 Ill. Reg. 2164, effective January 24, 1994; amended at 18 Ill. Reg. 4622, effective March 14, 1994; peremptory amendment at 18 Ill. Reg. 8493, effective May 27, 1994; amended at 18 Ill. Reg. 11489, effective July 7, 1994; peremptory amendment at 18 Ill. Reg. 12546, effective July 29, 1994; peremptory amendment at 18 Ill. Reg. 14475, effective September 7, 1994; amended at 18 Ill. Reg. 14924, effective September 26, 1994; peremptory amendment at 18 Ill. Reg. 15452, effective September 27, 1994; peremptory amendment at 19 Ill. Reg. 1342, effective January 27, 1995;

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peremptory amendment at 19 Ill. Reg. 4765, effective March 13, 1995; peremptory amendment at 19 Ill. Reg. 7067, effective May 8, 1995; peremptory amendment at 19 Ill. Reg. 14896, effective October 6, 1995; peremptory amendment at 19 Ill. Reg. 15766, effective November 10, 1995; peremptory amendment at 19 Ill. Reg. 16866, effective December 22, 1995; peremptory amendment at 20 Ill. Reg. 5091, effective March 19, 1996; peremptory amendment at 20 Ill. Reg. 10403, effective July 17, 1996; amended at 20 Ill. Reg. 11928, effective September 1, 1996; peremptory amendment at 20 Ill. Reg. 12634, effective September 5, 1996; peremptory amendment at 20 Ill. Reg. 15371, effective November 13, 1996; peremptory amendment at 21 Ill. Reg. 1221, effective January 14, 1997; peremptory amendment at 21 Ill. Reg. 1719, effective January 28, 1997; peremptory amendment at 21 Ill. Reg. 6609, effective May 20, 1997; amended at 21 Ill. Reg. 11494, effective August 1, 1997; peremptory amendment at 21 Ill. Reg. 11788, effective August 8, 1997; peremptory amendment at 21 Ill. Reg. 12686, effective August 28, 1997; peremptory amendment at 21 Ill. Reg. 14575, effective October 22, 1997; peremptory amendment at 22 Ill. Reg. 3602, effective February 2, 1998; peremptory amendment at 22 Ill. Reg. 5740, effective March 5, 1998; peremptory amendment at 22 Ill. Reg. 9384, effective May 15, 1998; peremptory amendment at 22 Ill. Reg. 20645, effective November 16, 1998; amended at 23 Ill. Reg. 450, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 3851, effective March 11, 1999; peremptory amendment at 23 Ill. Reg. 10880, effective August 19, 1999; amended at 24 Ill. Reg. 3933, effective February 22, 2000; peremptory amendment at 24 Ill. Reg. 5699, effective March 14, 2000; peremptory amendment at 24 Ill. Reg. 6734, effective April 14, 2000; amended at 24 Ill. Reg. 7197, effective April 27, 2000; peremptory amendment at 24 Ill. Reg. 14074, effective August 30, 2000; peremptory amendment at 24 Ill. Reg. 14451, effective September 15, 2000.

## SUPPLEMENT B: MEAT INSPECTION

## Section 125.270 Entry into Official Establishment; Reinspection and Preparation of Product

- a) The Department incorporates by reference 9 CFR 318.1(c) through 318.6, 318.9 through 318.10, 318.14 through 318.20, 318.22, 318.23, 318.24, 318.300 through 318.311 (1997); 61 FR 58780, effective January 21, 1997; 62 FR 27940, effective July 21, 1997; 62 FR 33744, effective August 22, 1997; 62 FR 45016, effective September 24, 1997; 62 FR 43631, effective October 14, 1997; 62 FR 61619, effective January 20, 1998; 64 FR 732, effective March 8, 1999; 64 FR 27901, effective July 23, 1999; 64 FR 72168, effective January 24, 2000; 65 FR 34381 and 65 FR 53531, effective August 28, 2000.
- b) No meat or meat product shall be brought into an official establishment unless it is inspected or has been prepared in an official establishment or in a federally licensed establishment and is identified by an official inspection legend as set forth in Section 125.90, a federal inspection legend, or is exempt from inspection as stated in Section 125.110. Meat and meat products received in an

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- official establishment during the absence of the inspector shall be identified as set forth in Section 125.200 and unless exempt from inspection, shall not be used or prepared until they have been reinspected. Any meat and meat product originally prepared at any official establishment may not be returned to any part of such establishment other than the receiving area until it has been reinspected by the inspector and passed. Wild game carcasses shall comply with Section 5(B)(4) of the Act. The official establishment shall maintain an inventory of non-meat items (e.g., spices, preservatives) which are received at the official establishment. Any product that is brought on the premises of an official establishment contrary to the provisions of this Section shall be removed immediately from such establishment by the operator of the establishment.
- c) Reinspections of meat and/or meat products within the official establishment shall be performed through the use of a random digit table.
- d) Docks and receiving rooms for meat and/or meat products or other articles used by the establishment in the preparation of meat products entering an official establishment shall be approved by the inspector if the location of such docks or receiving rooms will not permit such product or article to pass through rooms containing inspected and passed products.
- e) The manner of defrosting frozen products and methods of treating preserve products shall be in accordance with procedures as set forth in the "Meat and Poultry Inspection Manual" as adopted in Section 125.20.
- f) Casings or casings shall be inspected and passed if it is in compliance with the specific provisions as stated in 9 CFR 318.5(i) for passage of such articles.
- g) The Department does not approve new substances to be used on meat or in meat products, their uses or the levels of use of an approved substance. Such substances will be permitted to be used and artificial flavorings may be used if they do not adulterate the meat and/or meat product in accordance with Section 2.11 of the Act and are in compliance with the provisions of this Section.
- h) References to exemptions from slaughter and custom slaughter shall mean those exemptions set forth in Section 125.110.
- i) References within the incorporated language to the federal Poultry Inspection Act, Section 403 of the Act, Section 7 of the Act, 9 CFR 303, and paragraph 23(a) of the Act shall be interpreted to mean in accordance with the Meat and Poultry Inspection Act and the rules of this Part.
- j) The Department does not approve thermometers for use in smokehouses, dry rooms and other compartments that are used in the treatment of pork.
- k) Disinfectants shall be those as set forth in Section 125.180.
- l) Adequate vacuum shall be determined through the use of vacuum gauges.



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- n) Canned products which may be processed without steampressure cooking shall be those products as stated in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.
- n) The inspector shall permit lots of canned product to be shipped from the official establishment prior to the completion of the incubation period on the representative samples in accordance with the specific provisions in 9 CFR 318.309.
- o) The standards and procedures for determining when ingredients of finished products are in compliance with this Section shall be as set forth in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 14451, effective September 15, 2000)

## SUPPORT C: POULTRY INSPECTION

## Section 125.390 Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements

- a) The Department incorporates by reference 9 CFR 381.145(b) through 381.146, 381.148, 381.150 through 381.151, 381.200, 381.300 through 381.311 (1997; 62 FR 33744, effective August 22, 1997; 62 FR 45016, effective September 24, 1997; 64 FR 732, effective March 8, 1999; 64 FR 72168, effective January 24, 2000; 65 FR 2284, effective February 22, 2000; 65 FR 34381 and 65 FR 53531, effective August 28, 2000).
- b) No poultry or poultry product shall be brought into an official establishment unless it is inspected or has been prepared in an official establishment or in a federally licensed establishment and is identified by an official inspection legend as set forth in Section 125.90, the Federal inspection legend, or is exempt from inspection as stated in Section 125.110. However, poultry or poultry products imported into the United States may be transported to an inspection site in accordance with the provisions of 9 CFR 381.200 for reinspection.
- c) Poultry and poultry products received in an official establishment during the absence of the inspector shall be identified as set forth in Section 125.360 and, unless exempt from inspection, shall not be used or prepared until they have been reinspected. Any poultry and/or poultry product originally prepared at any official establishment may not be returned to any part of such establishment other than the receiving area until it has been reinspected and passed by the inspector.
- d) The official establishment shall maintain an inventory of non-poultry items (e.g., spices, preservatives) which are received at the official establishment. Any product that is brought on the premises of an official establishment contrary to the provisions of this Section shall be removed immediately from such establishment by the operator

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## NOTICE OF PEREMPTORY AMENDMENTS

- e) of the establishment.
- e) Reinspections of poultry and/or poultry products within the official establishment shall be performed through the use of a random digit table.
- f) Poultry feet shall be approved for processing for human food in accordance with the procedures set forth in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.
- g) The Department does not approve new substances to be used on poultry or in poultry products, their uses or the levels of use of an approved substance. Such substances will be permitted to be used if they will not adulterate the poultry and/or poultry product in accordance with Section 2.11 of the Act and are in compliance with the provisions of this Section.
- h) Ready-to-heat-and-eat poultry or stuffed ready-to-roast poultry may be moved from an official establishment prior to freezing in accordance with the provisions of Section 125.330 (specifically the incorporated language in 9 CFR 381.66(f)(3)).
- i) Any method of cleaning immediate containers used for the holding of poultry and poultry products shall be approved if such method is in compliance with the sanitation requirements (see Section 125.330).
- j) Canned poultry products which may be processed without steam-pressure cooking shall be those products as stated in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.
- k) The inspector shall permit lots of canned poultry products to be shipped from the official establishment prior to the completion of the incubation period on the representative samples in accordance with the specific provisions in 9 CFR 381.309.
- l) Disinfectants which may be used in an official establishment shall be those products on the "List of Proprietary Substances and Nonfood Compounds" as adopted by the Department in Section 125.20.

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 14451, effective September 15, 2000)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

1) Heading of the Part: Pay Plan2) The Code Citation: 80 Ill. Adm. Code 310

- 3) Section Numbers: Peremptory Action:  
 APPENDIX A, TABLE AA Amended  
 APPENDIX A, TABLE D Amended  
 APPENDIX A, TABLE E Amended  
 APPENDIX A, TABLE F Amended  
 APPENDIX A, TABLE G Amended  
 APPENDIX A, TABLE M Amended  
 APPENDIX A, TABLE Q Amended

4) Reference to the specific State or Federal Court Order, Federal Rule of Statute which requires this Peremptory Rulemaking: Section 1-5(d) of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(d)].5) Statutory Authority: 20 ILCS 415/8 and 8a.6) Effective Date: September 14, 20007) A Complete Description of the Subjects and Issues Involved: These amendments to the Pay Plan reflect the newly negotiated four-year Collective Bargaining Agreements for the following unions, effective July 1, 2000 through June 30, 2004.

In Section 310-Appendix A, Tables D, E and F, the rates of pay for the Teamsters' Locals #726 (HR-001), #330 (RC-020) and #25 (RC-019) shall be increased by \$140 per month, effective July 1, 2000; \$146 per month for July 1, 2001; \$152 per month for July 1, 2002; and \$168 per month for July 1, 2003.

In Section 310-Appendix A, Table G, the rates of pay for the Automotive Mechanics (RC-045) shall be increased by 3.5%, but not less than \$100.00 for July 1, 2000.

The salaries of the Automotive Mechanic and the Auto and Body Repairer in the Downstate Unit shall be equalized with the salary of the Automotive Mechanic in the Cook County Area. On January 1, 2001, the salary of the Automotive Mechanic in the Downstate Unit shall be increased by one-half of the difference and on January 1, 2002, these employees shall receive the remaining difference.

Effective January 1, 2001, the salaries of the Automotive Parts Warehousemen in the Downstate Unit shall be equalized with the salaries in the Cook County Unit.

The rates of pay shall be increased by 3.75%, but not less than \$100.00,

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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for July 1, 2001. On July 1, 2002, the rates of pay shall be increased by 3.75%, but not less than \$100.00. And on July 1, 2003, the rates of pay shall be increased by 4.0%, but not less than \$100.00.

In Section 310-Appendix A, Table M, the rates of pay for the Conservation Police Officers (RC-110) shall be increased by 3.5% for July 1, 2000; 3.75% for July 1, 2001; 3.75% for July 1, 2002; and 4.0% for July 1, 2003.

In Section 310-Appendix A, Table O, the rates of pay for the Meat and Poultry Inspectors (RC-033) shall be increased by 3.5% for July 1, 2000; 3.75% for July 1, 2001; 3.75% for July 1, 2002; and 4.0% for July 1, 2003.

And in Section 310-Appendix A, Table AA, the maximum salary for the NR-916 Teamsters' classifications shall be increased as illustrated in the text.

8) Does this rulemaking contain an automatic repeal date? No9) Date Filled in Agency's Principle Office: September 14, 200010) Is this Rule in compliance with Section 5-50 of the Illinois Administrative Procedures Act? Yes11) Are there any proposed amendments pending to this part? Yes

Section Numbers	Proposed Action	Ill. Reg. Citation
310-280	Amend	24 Ill. Reg. 5802, 4/7/00
310-280	Amend	24 Ill. Reg. 75/4, 5/26/00
310-100	Amend	24 Ill. Reg. 10030, 7/14/00
310-110	Amend	24 Ill. Reg. 10030, 7/14/00
310-130	Amend	24 Ill. Reg. 10030, 7/14/00
310-290	Amend	24 Ill. Reg. 10030, 7/14/00
310-490	Amend	24 Ill. Reg. 10030, 7/14/00
310-530	Amend	24 Ill. Reg. 10030, 7/14/00
310-540	Amend	24 Ill. Reg. 10030, 7/14/00
APPENDIX B	Amend	24 Ill. Reg. 10030, 7/14/00
APPENDIX C	Amend	24 Ill. Reg. 10030, 7/14/00
APPENDIX D	Amend	24 Ill. Reg. 10030, 7/14/00
APPENDIX G	Amend	24 Ill. Reg. 10030, 7/14/00

12) Statement of Statewide Objectives: These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.13) The name, address and telephone number of the person to whom information and questions concerning this peremptory rule shall be directed to:

Within 45 days, comments should be written and addressed to:

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Mr. Michael Murphy  
 Department of Central Management Services  
 Division of Technical Services  
 504 William G. Stratton Building  
 Springfield, Illinois 62706  
 (217) 782-5601

The full text of the Peremptory Amendment begins on the next page:

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
 SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND  
 POSITION CLASSIFICATIONS  
 CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310  
 PAY PLAN

## SUBPART A: NARRATIVE

## Section

## Policy and Responsibilities

310.20 Jurisdiction  
 310.30 Pay Schedules  
 310.40 Definitions  
 310.50 Conversion of Base Salary to Pay Period Units  
 310.60 Conversion of Base Salary to Daily or Hourly Equivalents  
 310.70 Increases in Pay  
 310.80 Decreases in Pay  
 310.90 Other Pay Provisions  
 310.100 Implementation of Pay Plan Changes for Fiscal Year 2000  
 310.110 Interpretation and Application of Pay Plan  
 310.120 Effective Date  
 310.130 Reinstitution of Within Grade Salary Increases (Repealed)  
 310.140 Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective  
 310.150 July 1, 1984 (Repealed)

## SUBPART B: SCHEDULE OF RATES

## Section

310.205 Introduction  
 310.210 Prevailing Rate  
 310.220 Negotiated Rate  
 310.230 Part-Time Daily or Hourly Special Services Rate  
 310.240 Hourly Rate  
 310.250 Member, Patient and Inmate Rate  
 310.260 Trainee Rate  
 310.270 Legislated and Contracted Rate  
 310.280 Designated Rate  
 310.290 Out-of-State or Foreign Service Rate  
 310.300 Educator Schedule for RC-063 and HR-010  
 310.310 Physician Specialist Rate  
 310.320 Annual Compensation Ranges for Executive Director and Assistant  
 310.330 Executive Director, State Board of Elections  
 Excluded Classes Rate (Repealed)

## SUBPART C: MERIT COMPENSATION SYSTEM

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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Section 310.410	Jurisdiction
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases
310.455	Intermittent Merit Increase
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 1999
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

## APPENDIX A Negotiated Rates of Pay

TABLE A	HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
TABLE AA	NR-216 (Department of Natural Resources, Teamsters)
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU) (Repealed)
TABLE C	RC-069 (Firefighters, AFSCME) (Repealed)
TABLE D	HR-001 (Teamsters Local #726)
TABLE E	RC-020 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)
TABLE G	RC-045 (Automotive Mechanics, IFPE)
TABLE H	RC-006 (Corrections Employees, AFSCME)
TABLE I	RC-009 (Institutional Employees, AFSCME)
TABLE J	RC-014 (Clerical Employees, AFSCME)
TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	RC-008 (Boilermakers)
TABLE M	RC-110 (Conservation Police Lodge)
TABLE N	RC-010 (Professional Legal Unit, AFSCME)
TABLE O	RC-022 (Paraprofessional Human Services Employees, AFSCME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
TABLE Q	RC-033 (Meat Inspectors, IFPE)
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE T	HR-010 (Teachers of Deaf, IFT)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V	CU-500 (Corrections, Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSCME)

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TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 2000
APPENDIX C	Medical Administrator Rates for Fiscal Year 2000
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 2000
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2000

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective June 7, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 9, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill.

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Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8843, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663,

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effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 21, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 11, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 5819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December



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22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 22, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10064, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19103, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; peremptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; peremptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020,

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effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; peremptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; peremptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; peremptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000.

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## Section 310, APPENDIX A Negotiated Rates of Pay

## Section 310, TABLE AA NR-916 (Department of Natural Resources, Teamsters)

Effective: July 1, 2000

	Minimum Salary	Maximum Salary
Cartographer III	2705	5205
Civil Engineer I	2635	4394
Civil Engineer II	2810	5044
Civil Engineer III	3095	5647
Civil Engineer Trainee	2475	3734
Engineering Technician I	1485	2969
Engineering Technician II	1810	3557
Engineering Technician III	2220	4243
Engineering Technician IV	2725	5507
Technical Manager I	2085	4004

Effective:--July 17--1999

	Minimum Salary	Maximum Salary
Cartographer-III	2765	5665
Civil-Engineer-I	2635	4225
Civil-Engineer-II	2810	4858
Civil-Engineer-III	3095	5438
Civil-Engineer-Trainee	2475	3598
Engineering-Technician-I	1485	2855
Engineering-Technician-II	1810	3428
Engineering-Technician-III	2228	4888
Engineering-Technician-IV	2725	5395
Technical-Manager-I	2085	3858

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 14.4, effective September 14, 2000)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

## Section 310, TABLE D ER-001 (Teamsters Local #726)

A) Department of Transportation - Division of Highways - Emergency Patrol - Northeast Region - (Cook)

	July 1, 2000 Mo. Hr.	July 1, 2001 Mo. Hr.
Highway Maintainer	3745.00 21.52	3891.00 22.36
(New Hire 7/1/97-6/30/98)	3409.00 19.59	3725.00 21.41
(New Hire 7/1/98-6/30/99)	3223.00 18.52	3544.00 20.37
(New Hire 7/1/99-6/30/00)	2996.00 17.22	3330.00 19.14
(New Hire 7/1/00-6/30/01)	2996.00 17.22	3330.00 19.14
(New Hire 7/1/01-6/30/02)	3874.00 22.26	3113.00 17.89
Highway Maintenance Lead Worker	3874.00 22.26	4020.00 23.10
Highway Maintenance Lead Worker (Lead Lead Worker)	3924.00 22.55	4070.00 23.39
Maintenance Worker	3689.00 21.20	3835.00 22.04

	July 1, 2002 Mo. Hr.	July 1, 2003 Mo. Hr.
Highway Maintainer	4043.00 23.24	4211.00 24.20
(New Hire 7/1/97-6/30/98)	4043.00 23.24	4211.00 24.20
(New Hire 7/1/98-6/30/99)	3871.00 22.25	4211.00 24.20
(New Hire 7/1/99-6/30/00)	3670.00 21.09	4026.00 23.14
(New Hire 7/1/00-6/30/01)	3670.00 21.09	4026.00 23.14
(New Hire 7/1/01-6/30/02)	3460.00 19.89	3823.00 21.97
(New Hire 7/1/02-6/30/03)	3234.00 18.59	3605.00 20.72
(New Hire 7/1/03-6/30/04)	4172.00 23.98	3369.00 19.36
Highway Maintenance Lead Worker	4172.00 23.98	4340.00 24.94
Highway Maintenance Lead Worker (Lead Lead Worker)	4222.00 24.26	4390.00 25.23
Maintenance Worker	3987.00 22.91	4155.00 23.88

B) Department of Transportation - Division of Highways - Northeast Region - (Cook)

	July 1, 2000 Mo. Hr.	July 1, 2001 Mo. Hr.
Heavy Construction Equipment Operator	3744.00 21.52	3890.00 22.36
Heavy Construction Equipment Operator (Bridge Crew)	3813.60 21.92	3959.60 22.76
Highway Maintainer	3645.00 20.95	3791.00 21.79
(New Hire 7/1/97-6/30/98)	3319.00 19.07	3630.00 20.86
(New Hire 7/1/98-6/30/99)	3138.00 18.03	3454.00 19.85



DEPARTMENT OF CENTRAL MANAGEMENT SERVICES  
NOTICE OF PREEMPTORY AMENDMENTS

Lead Worker (Lead Crew)	3851.00	22.13	4019.00	23.10
Laborer (Maintenance)	3687.00	22.34	4055.00	23.30
Maintenance Worker				
C) Departments of Human Services, Public Health and Employment Security - Northeast Region - (Cook)	July 1, 2000	July 1, 2001		
	Mo.	Hr.	Mo.	Hr.
Maintenance Equipment	3645.00	20.95	3791.00	21.79
Operator	3819.00	21.95	3965.00	22.79
Maintenance Equipment	3498.00	20.10	3644.00	20.94
Operator (Tractor Trailer)	July 1, 2002	July 1, 2003		
	Mo.	Hr.	Mo.	Hr.
Maintenance Worker	3943.00	22.66	4111.00	23.63
Maintenance Equipment	4117.00	23.66	4285.00	24.63
Operator (Dispatcher)	3796.00	21.82	3964.00	22.78
Maintenance Worker				

D) Departments of Central Management Services, Children and Family Services,  
Public Aid, and Human Services - Northeast Region - (Cook)

Grounds Supervisor	July 1, 2000	July 1, 2001		
	Mo.	Hr.	Mo.	Hr.
Grounds Supervisor	3531.00	20.29	3677.00	21.13
(Chicago-Read)	3698.00	21.25	3844.00	22.09
Grounds Supervisor	3925.00	22.56	4071.00	23.40
(Supervising Tractor Trailer Drivers)				
Maintenance Equipment	3645.00	20.95	3791.00	21.79
Operator	3706.00	21.30	3852.00	22.14
Operator (Tractor Trailer)	3671.10	21.10	3817.00	21.94
Maintenance Equipment	3498.00	20.10	3644.00	20.94
Operator (Tractor Trailer-Dept of Human Services)	3645.00	20.95	3791.00	21.79
Maintenance Worker				
(Chicago-Read)				

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES  
NOTICE OF PREEMPTORY AMENDMENTS

Grounds Supervisor	July 1, 2002	July 1, 2003		
	Mo.	Hr.	Mo.	Hr.
Grounds Supervisor	3829.00	22.01	3997.00	22.97
(Chicago-Read)	3996.00	22.97	4164.00	23.93
Grounds Supervisor	4223.00	24.27	4391.00	25.24
(Supervising Tractor Trailer Drivers)				
Maintenance Equipment	3943.00	22.66	4111.00	23.63
Operator	4004.00	23.01	4172.00	23.98
Operator (Tractor Trailer)	3969.00	22.81	4137.00	23.78
Maintenance Equipment				
Operator (Tractor Trailer)				
Operator (Tractor Trailer)				
Trailer-Dept of Human Services)				
Maintenance Worker	3796.00	21.82	3964.00	22.78
Maintenance Worker	3943.00	22.66	4111.00	23.63
(Chicago-Read)				

A) Department-of--Transportation---Division-of-Highways---Emergency Patrol---  
Northeast-Region---(Cook)

Highway-Maintainer	July 1, 1999	July 1, 1998		
	Mo.	Hr.	Mo.	Hr.
(New-Hire-7/1/97-6/30/98)	3385.00	19.45	3490.00	20.06
	2539.00	14.59	2814.00	16.17
(New-Hire-7/1/98-6/30/99)	2618.00	15.05	2908.00	16.71
	3514.00	20.20	3619.00	20.80
Highway-Maintenance				
Lead-Worker	3564.00	20.48	3669.00	21.09
Highway-Maintenance-Head	3329.00	19.13	3434.00	19.74
Worker-(Lead-Head-Worker)				
Maintenance-Worker				

B) Department-of-Transportation---Division-of-Highways---Northeast-Region---  
(Cook)

Heavy-Construction	July 1, 1999	July 1, 1998		
	Mo.	Hr.	Mo.	Hr.
Equipment-Operator	3384.00	19.45	3489.00	20.05
Heavy-Construction	3453.00	19.05	3558.00	20.45
Equipment-Operator				
(Bridge-Crew)	3285.00	18.80	3390.00	19.40
Highway-Maintainer	2464.00	14.16	2934.00	15.71
(New-Hire-7/1/97-6/30/98)	2543.00	14.62	2828.00	16.25
(New-Hire-7/1/98-6/30/99)				

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

(New Hire 7/1/99-6/30/00)  
 Highway-Maintenance 3354-60--19-28 3459-60--19-88 2699-00--15-11  
 (Bridge-Crew) 3515-95--14-45 2888-95--16-03 3574-60--20-54  
 (New Hire 7/1/99-6/30/99) 2594-70--14-91 2882-70--16-57 3071-95--17-66  
 (New Hire 7/1/99-6/30/00) 3384-00--19-45 3489-00--20-05 2600-95--15-11  
 Highway-Maintenance 3304-60--19-45 3489-00--20-05 3684-00--20-71  
 (Bridg-Rtg) 2530-00--14-59 2883-00--16-17 3080-00--17-01  
 (New Hire 7/1/99-6/30/99) 2617-00--15-04 2907-00--16-71 2703-00--15-53  
 (New Hire 7/1/99-6/30/00) 3285-00--18-08 3390-00--19-48 3505-00--20-14  
 Highway-Maintenance 2464-00--14-16 2734-00--15-71 3014-00--17-32  
 (Tractor-Mower) 2543-00--14-62 2828-00--16-25 2699-00--15-11  
 (New Hire 7/1/99-6/30/99) 3414-00--19-62 3519-00--20-22 3694-00--20-09  
 (New Hire 7/1/99-6/30/00) 3483-60--20-02 3588-60--20-62 3703-60--21-29  
 Highway-Maintenance 3464-00--19-91 3569-00--20-51 3684-00--21-17  
 Lead-Worker 3593-60--20-31 3630-60--20-91 3753-60--21-57  
 (Lead-Head-Worker) Highway-Maintenance  
 Head-Worker 3293-00--18-35 3298-00--18-95 3413-00--19-61  
 --(Bridge-Crew) 3229-00--18-56 3334-00--19-16 3449-00--19-02  
 Laborer-(Maintenance) Maintenance-Worker

E) Departments---of---Human---Services---Public---Health---and---Employment  
 Security---Northeast-Region---(Cook)

Maintenance-Equipment 3285-00--18-08 3390-00--19-48 3505-00--20-14  
 Operator 3459-00--19-08 3564-00--20-48 3679-00--21-14  
 Maintenance-Equipment 3130-00--18-03 3243-00--18-64 3358-00--19-30  
 Operator-(Dispatcher) Maintenance-Worker

B) Departments-of-Central-Management-Services-Children-and-Family-Services  
 Human-Services-and-Public-Aid---Northeast-Region---(Cook)

duy-17-1997 duy-17-1998 duy-17-1999  
 Mor-----Hr Mor-----Hr Mor-----Hr  
 3171-00--18-22 3276-00--18-03 3391-00--19-49  
 Grounds-Supervisor 3398-00--19-18 3443-00--19-79 3558-00--20-45  
 Grounds-Supervisor

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

(Chicago-Read) 3458-00--19-07 3563-00--20-40 3670-00--21-14  
 Grounds-Supervisor (Supervising-Tractor  
 Gratter-Bikes) 3285-00--19-08 3390-00--19-48 3505-00--20-14  
 Maintenance-Equipment Operator 3372-10--19-38 3477-10--19-90 3592-10--20-64  
 Maintenance-Equipment Operator-(Tractor-Trailer) 3311-22--19-03 3415-02--19-63 3530-16--20-29  
 Maintenance-Equipment Operator-(Tractor  
 Gratter-Dept-of Human-Services) 3130-00--18-03 3243-00--18-64 3350-00--19-30  
 Maintenance-Worker 3285-00--18-08 3390-00--19-48 3505-00--20-14  
 Maintenance-Worker (Chicago-Read)

NOTE: Employees--shall--receive--a one-time-lump-sum-payment-of-\$565--effective  
 duy-17-1997:

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 14480, effective September 14, 2000)



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

## Section 310.TABLE E RC-020 (Parameters Local #330)

A) Departments of Children and Family Services, Employment Security, and Human Services - (Counties of DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

Maintenance Equipment Operator	July 1, 2000 Mo. Hr. 3645.00 20.95	July 1, 2001 Mo. Hr. 3791.00 21.79
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Maintenance Equipment Operator	July 1, 2002 Mo. Hr. 3943.00 22.66	July 1, 2003 Mo. Hr. 4111.00 23.63
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B) Department of Transportation - Division of Highways - (Counties of DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

Bridge Mechanic	July 1, 2000 Mo. Hr. 3678.00 21.14	July 1, 2001 Mo. Hr. 3824.00 21.98
Bridge Tender	3477.00 19.98	3623.00 20.82
Highway Maintenance Lead Worker	3774.00 21.69	3920.00 22.53
Highway Maintenance Lead Worker (Bridge Crew)	3843.60 22.09	3989.60 22.93
Highway Maintenance Lead Worker (Lead Lead Worker)	3824.00 21.98	3970.00 22.82

Highway Maintainer	3645.00 20.95	3791.00 21.79
(New Hire 7/1/97-6/30/98)	3319.00 19.07	3630.00 20.86
(New Hire 7/1/98-6/30/99)	3138.00 18.03	3454.00 19.85
(New Hire 7/1/99-6/30/00)	2916.00 16.76	3245.00 18.65
(New Hire 7/1/00-6/30/01)	2916.00 16.76	3245.00 18.65
(New Hire 7/1/01-6/30/02)	3714.60 21.35	3033.00 17.43
(New Hire 7/1/01-6/30/02)	3714.60 21.35	3860.60 22.19

Highway Maintainer	3379.95 19.43	3693.95 21.23
(New Hire 7/1/97-6/30/98)	3195.70 18.37	3514.70 20.20
(New Hire 7/1/98-6/30/99)	2971.68 17.08	3303.68 18.99
(New Hire 7/1/99-6/30/00)	2971.68 17.08	3303.68 18.99
(New Hire 7/1/01-6/30/02)	3744.00 21.52	3088.48 17.75
(New Hire 7/1/01-6/30/02)	3744.00 21.52	3890.00 22.36

Highway Maintainer	3408.00 19.59	3720.00 21.40
(Drill Rig)	3222.00 18.52	3543.00 20.36
(New Hire 7/1/97-6/30/98)	3008.00 17.21	3222.00 18.52
(New Hire 7/1/98-6/30/99)	2995.00 17.21	3222.00 18.52
(New Hire 7/1/99-6/30/00)	2995.00 17.21	3222.00 18.52
(New Hire 7/1/99-6/30/01)	2995.00 17.21	3222.00 18.52

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

(New Hire 7/1/01-6/30/02)

Highway Maintainer	2734.00 15.71
(Seasonal)	
(10/1/00-4/1/01)	

Janitor I	3352.00 19.26
Janitor II	3383.00 19.44
Labor Maintenance Lead Worker	3609.00 20.74

Laborer (Maintenance)	3553.00 20.42
Maintenance Worker	3599.00 20.63
Power Shovel Operator	3744.00 21.52

(Maintenance)	
Power Shovel Operator	3813.60 21.92

(Maintenance) (Bridge Crew)	
Security Guard I	3379.00 19.42
Security Guard II	3427.00 19.70
Silk Screen Operator	3749.00 21.55

July 1, 2002	Mo. Hr.
Bridge Mechanic	3976.00 22.85
Bridge Tender	3775.00 21.70
Highway Maintenance Lead Worker	4072.00 23.40

Highway Maintenance Lead Worker (Bridge Crew)	4141.60 23.80
Highway Maintenance Lead Worker (Lead Lead Worker)	4122.00 23.69

Highway Maintainer	3943.00 22.66
(New Hire 7/1/97-6/30/98)	3943.00 22.66
(New Hire 7/1/98-6/30/99)	3776.00 21.70
(New Hire 7/1/99-6/30/00)	3580.00 20.57
(New Hire 7/1/00-6/30/01)	3580.00 20.57
(New Hire 7/1/01-6/30/02)	3375.00 19.40
(New Hire 7/1/02-6/30/03)	3154.00 18.13
(New Hire 7/1/03-6/30/04)	4012.60 23.06

Highway Maintainer	4012.60 23.06
(New Hire 7/1/98-6/30/98)	3839.70 22.07
(New Hire 7/1/99-6/30/99)	3641.68 20.93
(New Hire 7/1/00-6/30/01)	3641.68 20.93
(New Hire 7/1/01-6/30/02)	3434.48 19.74
(New Hire 7/1/02-6/30/03)	3210.08 18.45
(New Hire 7/1/03-6/30/04)	4042.00 23.23

Highway Maintainer	4210.00 24.20
(Drill Rig)	

July 1, 2003	Mo. Hr.
Bridge Mechanic	4144.00 23.82
Bridge Tender	3943.00 22.66
Highway Maintenance Lead Worker	4240.00 24.37
Highway Maintenance Lead Worker (Bridge Crew)	4309.60 24.77
Highway Maintenance Lead Worker (Lead Lead Worker)	4290.00 24.66

Highway Maintainer	4111.00 23.63
(New Hire 7/1/97-6/30/98)	4111.00 23.63
(New Hire 7/1/98-6/30/99)	3931.00 22.59
(New Hire 7/1/99-6/30/00)	3931.00 22.59
(New Hire 7/1/00-6/30/01)	3931.00 22.59
(New Hire 7/1/01-6/30/02)	3733.00 21.45
(New Hire 7/1/02-6/30/03)	3520.00 20.23
(New Hire 7/1/03-6/30/04)	4180.60 24.03

Highway Maintainer	4180.60 24.03
(New Hire 7/1/98-6/30/98)	3839.70 22.07
(New Hire 7/1/99-6/30/99)	3641.68 20.93
(New Hire 7/1/00-6/30/01)	3641.68 20.93
(New Hire 7/1/01-6/30/02)	3796.40 21.82
(New Hire 7/1/02-6/30/03)	3579.08 20.52
(New Hire 7/1/03-6/30/04)	4344.48 19.22
(New Hire 7/1/03-6/30/04)	4210.00 24.20

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

(New Hire 7/1/97-6/30/98)	4042.00 23.23	4210.00 24.20
(New Hire 7/1/98-6/30/99)	3870.00 22.24	4210.00 24.20
(New Hire 7/1/99-6/30/00)	3669.00 21.09	4025.00 23.13
(New Hire 7/1/00-6/30/01)	3659.00 21.09	4025.00 23.13
(New Hire 7/1/01-6/30/02)	3659.00 19.88	3822.00 21.97
(New Hire 7/1/02-6/30/03)	3234.00 18.59	3604.00 20.71
(New Hire 7/1/03-6/30/04)		3368.00 19.36
Highway Maintainer (Seasonal)		
(10/1/02-4/1/03)	2957.00 16.99	
(10/1/03-4/1/04)		3083.00 17.72
Janitor I	3650.00 20.98	3818.00 21.94
Janitor II	3681.00 21.16	3849.00 22.12
Labor Maintenance Lead Worker	3907.00 22.45	4075.00 23.42
Laborer (Maintenance)	3851.00 22.13	4019.00 23.10
Maintenance Worker	3887.00 22.34	4055.00 23.30
Power Shovel Operator (Maintenance)	4042.00 23.23	4210.00 24.20
Power Shovel Operator (Maintenance)	4111.60 23.63	4279.60 24.60
Security Guard I (Bridge Crew)	3677.00 21.13	3845.00 22.10
Security Guard II	3725.00 21.41	3893.00 22.37
Silk Screen Operator	4047.00 23.26	4215.00 24.22

C) Department of Central Management Services - Division of Vehicles-(Counties of DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

	July 1, 2000	July 1, 2001
	Mo. Hr.	Mo. Hr.
Janitor I	3352.00 19.26	3498.00 20.10
Janitor II	3383.00 19.44	3529.00 20.28
Maintenance Equipment Operator (all divisions)	3645.00 20.95	3791.00 21.79
Maintenance Worker	3589.00 20.63	3735.00 21.47
Security Guard I	3379.00 19.42	3525.00 20.26
Security Guard II	3427.00 19.70	3573.00 20.53
	July 1, 2002	July 1, 2003
	Mo. Hr.	Mo. Hr.
Janitor I	3650.00 20.98	3818.00 21.94
Janitor II	3681.00 21.16	3849.00 22.12
Maintenance Equipment Operator (all divisions)	3943.00 22.66	4111.00 23.63
Maintenance Worker	3887.00 22.34	4055.00 23.10
Security Guard I	3677.00 21.13	3845.00 22.10

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Security Guard II	3725.00 21.41	3993.00 22.37
D) Department of Corrections (Counties of DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will) (Alternative Pension Formula)		
	July 1, 2000	July 1, 2001
	Mo. Hr.	Mo. Hr.
Maintenance Equipment Operator	3744.00 21.52	3890.00 22.36
	July 1, 2002	July 1, 2003
	Mo. Hr.	Mo. Hr.
Maintenance Equipment Operator	4042.00 23.23	4210.00 24.20
A) Departments--of--Children-and-Family-Services--Corrections--Employment Security-Mental-Health-and-Developmental-Disabilities---(Counties--of DuPage--Kane--Kankakee--Kendall--Lake--McHenry-and-Will)		
	July-17-1994	July-17-1995
	Mo.-Hr.	Mo.-Hr.
Maintenance-Equipment Operator	3648-00-17-47	3160-00-18-16
B) Department--of--Transportation---Division-of-Highways---(Counties-of DuPage--Kane--Kankakee--Kendall--Lake--McHenry-and-Will)		
	July-17-1994	July-17-1995
	Mo.-Hr.	Mo.-Hr.
Bridge-Mechanic		
Bridge-Tender	3673-00-17-66	3593-00-19-35
Highway-Maintenance-Head Worker	3872-00-16-51	3994-00-17-29
Highway-Maintenance-Head Worker (Bridge-Crew)	3169-00-18-21	3889-00-18-90
Highway-Maintenance-Head Worker (Lead-Head-Worker)	3186-40-18-31	3335-50-19-15
Highway-Maintainer (Bridge-Crew)	3219-00-18-50	3339-00-19-19
Janitor-I	3048-00-17-47	3160-00-18-16
Janitor-II	3057-40-17-57	3203-50-18-41
Labor-Maintenance-Head Worker	3747-00-15-79	3867-00-16-40
Laborer-(Maintenance)	3778-00-15-97	3898-00-16-66
Maintenance-Worker	3804-00-17-26	3924-00-17-95
Power-Shovel-Operator --(Maintenance)	2948-00-16-94	3608-00-17-63
	2940-00-17-15	3584-00-17-84
	3139-00-18-04	3559-00-18-73

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

**Power-Shovel-Operator** 3156-00-10-14 3302-00-10-98 3453-00-10-05  
 (Maintenance) (Bridge-Crew)  
**Security-Guard-I** 2724-00-10-94 2094-00-16-63 3019-00-17-35  
**Security-Guard-II** 2022-00-10-22 2942-00-16-91 3067-00-17-63  
**Stik-Screen-Operator** 3144-00-10-07 3264-00-10-76 3309-00-19-48

**c) Department-of-Central-Management-Services---Division-of-Vehicles-**  
**(Counties-of-DuPage-Kane-Kankakee-Kendall-Lake-McHenry-and-Will)**

**Janitor-I** 2747-00-10-79 2067-00-16-48 2992-00-17-20  
**Janitor-II** 2770-00-10-97 2090-00-16-66 3023-00-17-37  
**Maintenance-Equipment** 3040-00-17-47 3160-00-10-16 3205-00-10-08  
**---Operator---(all-divisions)**  
**Maintenance-Worker** 2084-00-17-15 3104-00-17-04 3229-00-10-56  
**Security-Guard-I** 2724-00-10-94 2094-00-16-63 3019-00-17-35  
**Security-Guard-II** 2022-00-10-22 2942-00-16-91 3067-00-17-63

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 14.450,  
 effective September 14, 2000)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

## Section 310.TABUL F RC-019 (Teamsters Local #25)

**A) Department of Transportation - Division of Highways - Downstate - (All**  
**Counties Other Than Cook, DuPage, Kane, Kankakee, Kendall, Lake, McHenry**  
**and Will)**

	July 1, 2000	July 1, 2001
	Mo. Hr.	Mo. Hr.
<b>Bridge Mechanic</b>	3678.00 21.14	3824.00 21.98
<b>Bridge Tender</b>	3477.00 19.98	3623.00 20.82
<b>Deck Hand</b>	3550.00 20.40	3696.00 21.24
<b>Ferry Operator I</b>	3774.00 21.69	3920.00 22.53
<b>Ferry Operator II</b>	3824.00 21.98	3970.00 22.82
<b>Highway Maintenance</b>	3774.00 21.69	3920.00 22.53
<b>Lead Worker</b>	3843.60 22.09	3989.60 22.93
<b>Lead Worker</b>		
<b>(Bridge Crew)</b>		
<b>Highway Maintenance</b>	3824.00 21.98	3970.00 22.82
<b>Lead Worker</b>		
<b>(Lead Lead Worker)</b>		
<b>Highway Maintainer</b>		
<b>(New Hire 7/1/97-6/30/98)</b>	3645.00 20.95	3791.00 21.79
<b>(New Hire 7/1/98-6/30/99)</b>	3319.00 19.07	3630.00 20.86
<b>(New Hire 7/1/99-6/30/00)</b>	3138.00 18.03	3454.00 19.85
<b>(New Hire 7/1/00-6/30/01)</b>	2916.00 16.76	3245.00 18.65
<b>(New Hire 7/1/01-6/30/02)</b>	3033.00 17.43	3233.00 17.43
<b>Highway Maintainer</b>	3714.60 22.19	3860.60 22.19
<b>(Bridge Crew)</b>		
<b>(New Hire 7/1/97-6/30/98)</b>	3379.95 19.43	3693.95 21.23
<b>(New Hire 7/1/98-6/30/99)</b>	3195.70 18.37	3514.70 20.20
<b>(New Hire 7/1/99-6/30/00)</b>	2971.68 17.08	3303.68 18.99
<b>(New Hire 7/1/00-6/30/01)</b>	2971.68 17.08	3303.68 18.99
<b>(New Hire 7/1/01-6/30/02)</b>	3088.48 17.75	3088.48 17.75
<b>Highway Maintainer</b>	3744.00 21.52	3890.00 22.36
<b>(Drill Rig)</b>		
<b>(New Hire 7/1/97-6/30/98)</b>	3408.00 19.59	3724.00 21.40
<b>(New Hire 7/1/98-6/30/99)</b>	3222.00 18.52	3543.00 20.36
<b>(New Hire 7/1/99-6/30/00)</b>	2995.00 17.21	3329.00 19.13
<b>(New Hire 7/1/00-6/30/01)</b>	2995.00 17.21	3329.00 19.13
<b>(New Hire 7/1/01-6/30/02)</b>	3112.00 17.89	3112.00 17.89
<b>Highway Maintainer</b>		
<b>(Seasonal)</b>		
<b>(10/1/00-4/1/01)</b>	2734.00 15.71	2957.00 16.99
<b>(10/1/01-4/1/02)</b>	3352.00 19.26	3498.00 20.10
<b>Janitor I</b>		
<b>(Including Office</b>		
<b>of Administration)</b>		

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Janitor II (Including Office of Administration)	3383.00	19.44	3529.00	20.28	
Laborer (Maintenance)	3553.00	20.42	3699.00	21.26	
Labor Maintenance	3609.00	20.74	3755.00	21.58	
Lead Worker					
Maintenance Worker	3589.00	20.63	3735.00	21.47	
(Including Office of Administration)					
Power Shovel Operator	3744.00	21.52	3890.00	22.36	
(Maintenance)					
Power Shovel Operator	3813.60	21.92	3959.60	22.76	
(Maintenance)					
(Bridge Crew)					
Security Guard I	3379.00	19.42	3525.00	20.26	
(Including Office of Administration)					
Security Guard II	3427.00	19.70	3573.00	20.53	
(Including Office of Administration)					
Silk Screen Operator	3749.00	21.55	3895.00	22.39	
	July 1, 2002	July 1, 2003			
	Mo. Hr.	Mo. Hr.			
Bridge Mechanic	3976.00	22.85	4144.00	23.82	
Bridge Tender	3775.00	21.70	3943.00	22.66	
Deck Hand	3848.00	22.11	4016.00	23.08	
Ferry Operator I	4072.00	23.40	4240.00	24.37	
Ferry Operator II	4122.00	23.69	4290.00	24.66	
Highway Maintenance	4072.00	23.40	4240.00	24.37	
Lead Worker					
Highway Maintenance	4141.00	23.80	4309.60	24.77	
Lead Worker					
(Bridge Crew)					
Highway Maintenance	4122.00	23.69	4290.00	24.66	
Lead Worker					
(Lead Lead Worker)					
Highway Maintainer	3943.00	22.66	4111.00	23.63	
(New Hire 7/1/97-6/30/98)					
(New Hire 7/1/98-6/30/99)	3943.00	22.66	4111.00	23.63	
(New Hire 7/1/99-6/30/00)	3776.00	21.70	4111.00	23.63	
(New Hire 7/1/00-6/30/01)	3580.00	20.57	3931.00	22.59	
(New Hire 7/1/01-6/30/02)	3580.00	20.57	3931.00	22.59	
(New Hire 7/1/02-6/30/03)	3375.00	19.40	3733.00	21.45	
(New Hire 7/1/03-6/30/04)	3154.00	18.13	3520.00	20.23	
Highway Maintainer	4012.60	23.06	3289.00	18.90	
(Bridge Crew)					
(New Hire 7/1/97-6/30/98)	4012.60	23.06	4180.60	24.03	
(New Hire 7/1/98-6/30/99)					

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

(New Hire 7/1/98-6/30/99)	3839.70	22.07	4180.60	24.03	
(New Hire 7/1/99-6/30/00)	3641.68	20.93	3995.68	22.96	
(New Hire 7/1/00-6/30/01)	3641.68	20.93	3995.68	22.96	
(New Hire 7/1/01-6/30/02)	3434.48	19.74	3796.48	21.82	
(New Hire 7/1/02-6/30/03)	3210.08	18.45	3579.08	20.57	
(New Hire 7/1/03-6/30/04)	3344.48	19.22	3444.48	19.22	
Highway Maintainer	4042.00	23.23	4210.00	24.20	
(Drill Rig)					
(New Hire 7/1/97-6/30/98)	4042.00	23.23	4210.00	24.20	
(New Hire 7/1/98-6/30/99)	3870.00	22.24	4210.00	24.20	
(New Hire 7/1/99-6/30/00)	3669.00	21.09	4025.00	23.13	
(New Hire 7/1/00-6/30/01)	3669.00	21.09	4025.00	23.13	
(New Hire 7/1/01-6/30/02)	3459.00	19.88	3822.00	21.57	
(New Hire 7/1/02-6/30/03)	3234.00	18.59	3604.00	20.71	
(New Hire 7/1/03-6/30/04)			3368.00	19.36	
Highway Maintainer					
(Seasonal)					
(10/1/02-4/1/03)	2957.00	16.99	3083.00	17.72	
(10/1/03-4/1/04)	3650.00	20.98	3818.00	21.94	
Janitor I					
(Including Office of Administration)					
Janitor II	3681.00	21.16	3849.00	22.12	
(Including Office of Administration)					
Laborer (Maintenance)	3851.00	22.13	4019.00	23.10	
Labor Maintenance	3907.00	22.45	4075.00	23.42	
Lead Worker					
Maintenance Worker	3887.00	22.34	4055.00	23.30	
(Including Office of Administration)					
Power Shovel Operator	4042.00	23.23	4210.00	24.20	
(Maintenance)					
Power Shovel Operator	4111.60	23.63	4279.60	24.60	
(Maintenance)					
(Bridge Crew)					
Security Guard I	3677.00	21.13	3845.00	22.10	
(Including Office of Administration)					
Security Guard II	3725.00	21.41	3893.00	22.37	
(Including Office of Administration)					
Silk Screen Operator	4047.00	23.26	4215.00	24.22	

B) Department of Central Management Services - Division of  
 Vehicles - Downstate - (All Counties Other Than Cook, DuPage, Kane,  
 Kankakee, Kendall, Lake, McHenry and Will)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Janitor I	July 1, 2000	July 1, 2001
Mo.	Mo.	Mo.
3352.00	3498.00	3529.00
19.26	20.10	20.28
3383.00	3529.00	3721.00
19.44	20.28	21.79
Maintenance Equipment Operator	3645.00	3791.00
(all divisions)	20.95	21.79
Maintenance Worker	3589.00	3735.00
Security Guard I	3379.00	3525.00
Security Guard II	3427.00	3573.00
	19.70	20.53

Janitor I	July 1, 2002	July 1, 2003
Mo.	Mo.	Mo.
3650.00	3818.00	3849.00
20.98	21.94	22.12
Janitor II	3681.00	3849.00
Maintenance Equipment Operator	21.16	22.63
(all divisions)	3943.00	4111.00
Maintenance Worker	22.66	23.63
Security Guard I	3887.00	4055.00
Security Guard II	3677.00	3845.00
	21.13	22.10
	3725.00	3893.00
	21.41	22.37

C) Department of Human Services - Lincoln Developmental Center

Laborer (Maintenance)	July 1, 2000	July 1, 2001
Mo.	Mo.	Mo.
3553.00	3699.00	3791.00
20.42	21.26	21.79
Laborer (Maintenance)	July 1, 2002	July 1, 2003
Mo.	Mo.	Mo.
3851.00	4019.00	4055.00
22.13	23.10	23.25

D) Departments of Children and Family Services, Employment Security, Human Services, Public Aid, State Police, Veterans' Affairs - Downstate - (All Counties Other Than Cook, Kane, Kankakee, Kendall, Lake, McHenry and Will)

Maintenance Equipment Operator	July 1, 2000	July 1, 2001
Mo.	Mo.	Mo.
3645.00	3791.00	3849.00
20.95	21.79	22.12
Maintenance Equipment Operator	July 1, 2002	July 1, 2003
Mo.	Mo.	Mo.
3943.00	4111.00	4157.00
22.66	23.63	24.20

E) Department of Corrections - Downstate - (All Counties Other Than Cook,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

DuPage, Kane, Kankakee, Kendall, Lake, McHenry and Will)

Maintenance Equipment Operator	July 1, 2000	July 1, 2001
Mo.	Mo.	Mo.
3744.00	3890.00	3943.00
21.52	22.36	22.66
Maintenance Equipment Operator	July 1, 2002	July 1, 2003
Mo.	Mo.	Mo.
3851.00	4019.00	4055.00
22.13	23.10	23.25

F) Department of Transportation - Division of Highways - Emergency Patrol - District #8

Highway Maintainer	July 1, 2000	July 1, 2001
Mo.	Mo.	Mo.
3745.00	3891.00	3943.00
21.52	22.36	22.66
(New Hire 7/1/97-6/30/98)	3409.00	3555.00
(New Hire 7/1/98-6/30/99)	3223.00	3369.00
(New Hire 7/1/99-6/30/00)	2996.00	3142.00
(New Hire 7/1/00-6/30/01)	2996.00	3142.00
(New Hire 7/1/01-6/30/02)	3874.00	4020.00
Highway Maintenance Lead Worker	3899.00	4045.00
Highway Maintenance Lead Worker (Lead Lead Worker)	22.41	23.25

Highway Maintainer	July 1, 2002	July 1, 2003
Mo.	Mo.	Mo.
4043.00	4211.00	4257.00
23.24	24.20	24.20
(New Hire 7/1/97-6/30/98)	3871.00	4017.00
(New Hire 7/1/98-6/30/99)	3670.00	3817.00
(New Hire 7/1/99-6/30/00)	3470.00	3670.00
(New Hire 7/1/00-6/30/01)	3460.00	3670.00
(New Hire 7/1/01-6/30/02)	3234.00	3460.00
(New Hire 7/1/02-6/30/03)	4172.00	4365.00
(New Hire 7/1/03-6/30/04)	4197.00	4365.00
Highway Maintenance Lead Worker	23.98	24.12
Highway Maintenance Lead Worker (Lead Lead Worker)	24.12	25.09

G) Department of Natural Resources

	July 1, 2000	July 1, 2001
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## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

	Mo.	Hi.	Mo.	Hi.
Power Shovel Operator (Maintenance)	3744.00	21.52	3890.00	22.36
Power Shovel Operator (Maintenance)	July 1, 2002	July 1, 2003		
	Mo.	Hi.		
	4042.00	23.23	4210.00	24.20
A) Department of Transportation--Division of Highways--Downstate--(All Counties--Other--than Cook--DuPage--Kane--Kankakee--Kendall--Baker--McHenry and Will)				
	July 1, 1997	July 1, 1998	July 1, 1999	
	Mo.	Hi.	Mo.	Hi.
Bridge-Mechanic	3380.00--15.67	3423.00--15.67	3550.00--20.33	
Bridge-Tender	3157.00--17.31	3222.00--18.52	3437.00--19.18	
Deck-Hanc	3190.00--18.33	3295.00--18.94	3410.00--19.68	
Ferry Operator--I	3335.00--19.05	3420.00--19.66	3535.00--20.32	
Ferry Operator--II	3365.00--19.34	3470.00--19.94	3585.00--20.68	
Highway Maintenance	3414.00--19.62	3519.00--20.22	3634.00--20.89	
Lead-Worker				
Highway Maintenance	3483.60--20.02	3588.60--20.62	3783.60--21.29	
Lead-Worker				
(Bridge-Grew)				
Highway Maintenance	3464.00--19.31	3569.00--20.51	3684.00--21.17	
Lead-Worker				
(Lead-Head-Worker)				
Highway Maintainer	3285.00--19.08	3390.00--19.48	3585.00--20.14	
(New Hire--7/1/97-6/30/98)	2484.00--14.26	2734.00--15.71	3014.00--17.32	
(New Hire--7/1/98-6/30/99)	2543.00--14.02	2808.00--16.25	3029.00--18.51	
(New Hire--7/1/99-6/30/00)	3354.60--19.28	3459.60--19.88	3574.60--20.54	
Highway Maintainer				
(Bridge-Grew)				
(New Hire--7/1/97-6/30/98)	2515.95--14.46	2788.95--16.03	3071.95--17.66	
(New Hire--7/1/98-6/30/99)	2594.70--14.21	2882.70--16.57	3080.95--15.41	
(New Hire--7/1/99-6/30/00)			3084.00--20.71	
Highway Maintainer				
(Drill-Rigs)	3384.00--18.45	3489.00--19.05	3690.00--19.81	
(New Hire--7/1/97-6/30/98)	2538.00--14.59	2813.00--16.17	3013.00--17.01	
(New Hire--7/1/98-6/30/99)	2617.00--15.04	2907.00--16.71	3083.00--15.53	
(New Hire--7/1/99-6/30/00)	2992.00--17.28	3097.00--17.88	3212.00--18.46	
Janitor--I				
(including Office				
of Administration)				
Janitor--II	3033.00--17.37	3128.00--17.98	3243.00--18.64	
(including Office				
of Administration)				

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

	Mo.	Hi.	Mo.	Hi.
Laborer--(Maintenance)	3193.00--18.35	3298.00--18.95	3413.00--19.61	
Labor-Maintenance	3249.00--18.67	3354.00--19.28	3469.00--19.94	
Lead-Worker				
(Maintenance-Worker	3229.00--18.56	3334.00--19.16	3449.00--19.82	
(including Office				
of Administration)				
Power Shovel Operator	3304.00--19.45	3409.00--20.05	3604.00--20.71	
(Maintenance)				
Power Shovel Operator	3453.60--19.85	3558.60--20.45	3673.60--21.11	
(Bridge-Grew)				
Security-Guard--I	3010.00--17.35	3124.00--17.95	3239.00--18.61	
(including Office				
of Administration)				
Security-Guard--II	3067.00--17.63	3172.00--18.23	3307.00--18.89	
(including Office				
of Administration)				
Sick-Screen Operator	3389.00--19.48	3494.00--20.08	3609.00--20.74	
B) Department--of--Central--Management--Services--Division--of--Vehicles--Downstate--(All--Counties--Other--than--Cook--DuPage--Kane--Kankakee--Kendall--Baker--McHenry--and--Will)				
	July 1, 1997	July 1, 1998	July 1, 1999	
	Mo.	Hi.	Mo.	Hi.
Janitor--I	2992.00--17.28	3097.00--17.88	3212.00--18.46	
Janitor--II	3023.00--17.37	3128.00--17.98	3243.00--18.64	
Maintenance-Equipment	3285.00--18.08	3390.00--19.48	3585.00--20.14	
Operator				
(all-divisions)	3229.00--18.56	3334.00--19.16	3449.00--19.82	
Maintenance-Worker	3219.00--17.35	3324.00--17.95	3529.00--18.61	
Security-Guard--I	3067.00--17.63	3172.00--18.23	3307.00--18.89	
Security-Guard--II				
C) Department of Human Services--Lincoln-Developmental-Center				
	July 1, 1997	July 1, 1998	July 1, 1999	
	Mo.	Hi.	Mo.	Hi.
Laborer--(Maintenance)	3193.00--18.35	3298.00--18.95	3413.00--19.61	
D) Departments of Children and Family Services--Employment--Security--Human Services--Public--Aid--State--Policy--Veterans--Affairs--Downstate--(All Counties--Other--than Cook--DuPage--Kane--Kankakee--Kendall--Baker--McHenry and Will)				
	July 1, 1997	July 1, 1998	July 1, 1999	
	Mo.	Hi.	Mo.	Hi.
Maintenance-Equipment	3285.00--18.08	3390.00--19.48	3585.00--20.14	

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

## NOTICE OF PEREMPTORY AMENDMENTS

## Operator

E) Department--of--Corrections--Boonville---(all--Counties--Other--Shan-Cook,  
Burger-Kane,Kankakee-Rendall,Baker,McHenry and Will)

Maintenance-Equipment  
Operator

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3384-00--19-45 3489-00--20-05 3604-00--20-71

F) Department--of--transportation--Division--of--Highways---Emergency  
Patrol--District--#8

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3385-00--19-45 3490-00--20-06 3605-00--20-72

Highway-Maintenance

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3386-00--19-45 3491-00--20-06 3606-00--20-72

Highway-Maintenance

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3387-00--19-45 3492-00--20-06 3607-00--20-72

Highway-Maintenance

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3388-00--19-45 3493-00--20-06 3608-00--20-72

Highway-Maintenance

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3389-00--19-45 3494-00--20-06 3609-00--20-72

Head-Worker

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3390-00--19-45 3495-00--20-06 3610-00--20-72

Head-Worker

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3391-00--19-45 3496-00--20-06 3611-00--20-72

Head-Worker

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3392-00--19-45 3497-00--20-06 3612-00--20-72

Head-Worker

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3393-00--19-45 3498-00--20-06 3613-00--20-72

Head-Worker

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3394-00--19-45 3499-00--20-06 3614-00--20-72

Head-Worker

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3395-00--19-45 3500-00--20-06 3615-00--20-72

Head-Worker

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3396-00--19-45 3501-00--20-06 3616-00--20-72

Head-Worker

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3397-00--19-45 3502-00--20-06 3617-00--20-72

Head-Worker

July-17-1997 July-17-1998 July-17-1999  
Mo-----Hr- Mo-----Hr- Mo-----Hr-  
3398-00--19-45 3503-00--20-06 3618-00--20-72

Head-Worker

## Section 310.TABLE G RC-045 (Automotive Mechanics, ITPE)

A) Departments of Central Management Services and Transportation - Northeast  
Region - (Cook)

July 1, 2000 January 1, 2001 July 1, 2001  
Mo. Mo. Mo.  
Auto & Body Repair 3435 3435 3564  
Automotive Attendant 2023 2023 2123

I

July 1, 2000 January 1, 2001 July 1, 2001  
Mo. Mo. Mo.  
Automotive Attendant 2178 2178 2278

II

July 1, 2000 January 1, 2001 July 1, 2001  
Mo. Mo. Mo.  
Automotive Mechanic 3435 3435 3564  
Automotive Parts 3299 3299 3423  
Warehouse 3233 3233 3354  
\*Storekeeper I 3301 3301 3425  
\*Storekeeper II 3301 3301 3425

I

July 1, 2000 January 1, 2001 July 1, 2001  
Mo. Mo. Mo.  
Auto & Body Repair 3564 3564 3846  
Automotive Attendant 2123 2123 2323

II

July 1, 2000 January 1, 2001 July 1, 2001  
Mo. Mo. Mo.  
Automotive Mechanic 3564 3564 3846  
Automotive Parts 3423 3423 3693  
Warehouse 3354 3354 3619  
\*Storekeeper I 3480 3480 3695  
\*Storekeeper II 3425 3425 3695

I

July 1, 2000 January 1, 2001 July 1, 2001  
Mo. Mo. Mo.  
Auto & Body Repair 3403 3403 3547  
Automotive Attendant 2023 2023 2123

II

July 1, 2000 January 1, 2001 July 1, 2001  
Mo. Mo. Mo.  
Automotive Attendant 2178 2178 2278

I

July 1, 2000 January 1, 2001 July 1, 2001  
Mo. Mo. Mo.  
Automotive Mechanic 3403 3403 3547  
Automotive Parts 3291 3291 3423  
Warehouse 3364 3364 3490  
Warehouse 3364 3364 3490

II

July 1, 2000 January 1, 2001 July 1, 2001  
Mo. Mo. Mo.  
Automotive Mechanic 3403 3403 3547  
Automotive Parts 3291 3291 3423  
Warehouse 3364 3364 3490  
Warehouse 3364 3364 3490

I

July 1, 2000 January 1, 2001 July 1, 2001  
Mo. Mo. Mo.  
Automotive Mechanic 3403 3403 3547  
Automotive Parts 3291 3291 3423  
Warehouse 3364 3364 3490  
Warehouse 3364 3364 3490

II

\*Serving as Automotive Parts Warehouse in Cook County.

B) Departments of Agriculture, Central Management Services, Natural Resources  
and Transportation - (All Other Counties Except Cook)

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 14460, effective September 14, 2000)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

	<u>January 1, 2002</u>	<u>July 1, 2002</u>	<u>July 1, 2003</u>
	Mo.	Mo.	Mo.
Specialist	3025	3025	3138
Small Engine			
Mechanic			
Auto & Body Repairer			
Automotive Attendant	2123	2223	3846
I			2323
Automotive Attendant	2278	2378	2478
II			
Automotive Mechanic	3564	3698	3846
Automotive Parts	3423	3551	3693
Warehouse			
Automotive Parts	3490	3621	3766
Warehouse			
Specialist			
Small Engine			
Mechanic	3138	3256	3386

C). Department of Corrections - (All Other Counties Except Cook) (Alternative Retirement Formula)

	July 1, 2000	January 1, 2001	July 1, 2001
Auto & Body Repairer	No.	Mo.	Mo.
Automotive Attendant	3506	3506	3637
I	2081	2081	2181
Automotive Attendant	2240	2240	2340
II			
Automotive Mechanic	3506	3506	3637
	January 1, 2002	July 1, 2002	July 1, 2003
Auto & Body Repairer	No.	Mo.	Mo.
Automotive Attendant	3637	3773	3924
I	2181	2281	2381
Automotive Attendant	2340	2440	2540
II			
Automotive Mechanic	3637	3773	3924

	July 1, 2000	January 1, 2001	July 1, 2001
	Mo.	Mo.	Mo.
Auto & Body Repairer	3556	3556	3689
Automotive Attendant	2131	2131	2131
I			

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

<u>Automotive Attendant</u>	<u>2290</u>	<u>2290</u>	<u>2390</u>
II			
<u>Automotive Mechanic</u>	<u>3556</u>	<u>3556</u>	<u>3689</u>
Auto & Body Repair	3689	3827	3980
<u>Automotive Attendant</u>	<u>2331</u>	<u>2331</u>	<u>2431</u>
I			
<u>Automotive Attendant</u>	<u>2390</u>	<u>2490</u>	<u>2590</u>
II			
<u>Automotive Mechanic</u>	<u>3689</u>	<u>3827</u>	<u>3980</u>

[illegible]

	July-iv-1997	July-iv-1998	July-iv-1999
NO-1	3328	3319	3322
NO-2	3328	3319	3322
NO-3	3328	3319	3322
NO-4	3328	3319	3322
NO-5	3328	3319	3322
NO-6	3328	3319	3322
NO-7	3328	3319	3322
NO-8	3328	3319	3322
NO-9	3328	3319	3322
NO-10	3328	3319	3322
NO-11	3328	3319	3322
NO-12	3328	3319	3322
NO-13	3328	3319	3322
NO-14	3328	3319	3322
NO-15	3328	3319	3322
NO-16	3328	3319	3322
NO-17	3328	3319	3322
NO-18	3328	3319	3322
NO-19	3328	3319	3322
NO-20	3328	3319	3322
NO-21	3328	3319	3322
NO-22	3328	3319	3322
NO-23	3328	3319	3322
NO-24	3328	3319	3322
NO-25	3328	3319	3322
NO-26	3328	3319	3322
NO-27	3328	3319	3322
NO-28	3328	3319	3322
NO-29	3328	3319	3322
NO-30	3328	3319	3322
NO-31	3328	3319	3322
NO-32	3328	3319	3322
NO-33	3328	3319	3322
NO-34	3328	3319	3322
NO-35	3328	3319	3322
NO-36	3328	3319	3322
NO-37	3328	3319	3322
NO-38	3328	3319	3322
NO-39	3328	3319	3322
NO-40	3328	3319	3322
NO-41	3328	3319	3322
NO-42	3328	3319	3322
NO-43	3328	3319	3322
NO-44	3328	3319	3322
NO-45	3328	3319	3322
NO-46	3328	3319	3322
NO-47	3328	3319	3322
NO-48	3328	3319	3322
NO-49	3328	3319	3322
NO-50	3328	3319	3322
NO-51	3328	3319	3322
NO-52	3328	3319	3322
NO-53	3328	3319	3322
NO-54	3328	3319	3322
NO-55	3328	3319	3322
NO-56	3328	3319	3322
NO-57	3328	3319	3322
NO-58	3328	3319	3322
NO-59	3328	3319	3322
NO-60	3328	3319	3322
NO-61	3328	3319	3322
NO-62	3328	3319	3322
NO-63	3328	3319	3322
NO-64	3328	3319	3322
NO-65	3328	3319	3322
NO-66	3328	3319	3322
NO-67	3328	3319	3322
NO-68	3328	3319	3322
NO-69	3328	3319	3322
NO-70	3328	3319	3322
NO-71	3328	3319	3322
NO-72	3328	3319	3322
NO-73	3328	3319	3322
NO-74	3328	3319	3322
NO-75	3328	3319	3322
NO-76	3328	3319	3322
NO-77	3328	3319	3322
NO-78	3328	3319	3322
NO-79	3328	3319	3322
NO-80	3328	3319	3322
NO-81	3328	3319	3322
NO-82	3328	3319	3322
NO-83	3328	3319	3322
NO-84	3328	3319	3322
NO-85	3328	3319	3322
NO-86	3328	3319	3322
NO-87	3328	3319	3322
NO-88	3328	3319	3322
NO-89	3328	3319	3322
NO-90	3328	3319	3322
NO-91	3328	3319	3322
NO-92	3328	3319	3322
NO-93	3328	3319	3322
NO-94	3328	3319	3322
NO-95	3328	3319	3322
NO-96	3328	3319	3322
NO-97	3328	3319	3322
NO-98	3328	3319	3322
NO-99	3328	3319	3322
NO-100	3328	3319	3322

[illegible]

	July-27-1997	July-27-1998	July-27-1999
	Mo:	Mo:	Mo:
Auto-Body-Repairer			
Automotive-Attendant	1013	1067	1023
I			
Automotive-Attendant	1050	1017	1070
I			
Automotive-Mechanics	3099	3192	3000
Automotive-Parts	2997	3087	3100
Mechanics			
Automotive-Parts	3063	3155	3250
Mechanics			
Sales-Parts			
Service-Parts	2755	2830	2923

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

## Mechanic

e) Department-of--Corrections----(All--Other--Counties---Except---Cook)  
(Alternative-Retirement-Formula)

July-1-1997	July-1-1998	July-1-1999
Mo.	Mo.	Mo.
3492	3500	3507
3507	3513	3521
3521	3528	3536
3536	3543	3551
3551	3558	3566
3566	3573	3581
3581	3588	3596
3596	3603	3611
3611	3618	3626
3626	3633	3641
3641	3648	3656
3656	3663	3671
3671	3678	3686
3686	3693	3701
3701	3708	3716
3716	3723	3731
3731	3738	3746
3746	3753	3761
3761	3768	3776
3776	3783	3791
3791	3798	3806
3806	3813	3821
3821	3828	3836
3836	3843	3851
3851	3858	3866
3866	3873	3881
3881	3888	3896
3896	3903	3911
3911	3918	3926
3926	3933	3941
3941	3948	3956
3956	3963	3971
3971	3978	3986
3986	3993	4001
4001	4008	4016
4016	4023	4031
4031	4038	4046
4046	4053	4061
4061	4068	4076
4076	4083	4091
4091	4098	4106
4106	4113	4121
4121	4128	4136
4136	4143	4151
4151	4158	4166
4166	4173	4181
4181	4188	4196
4196	4203	4211
4211	4218	4226
4226	4233	4241
4241	4248	4256
4256	4263	4271
4271	4278	4286
4286	4293	4301
4301	4308	4316
4316	4323	4331
4331	4338	4346
4346	4353	4361
4361	4368	4376
4376	4383	4391
4391	4398	4406
4406	4413	4421
4421	4428	4436
4436	4443	4451
4451	4458	4466
4466	4473	4481
4481	4488	4496
4496	4503	4511
4511	4518	4526
4526	4533	4541
4541	4548	4556
4556	4563	4571
4571	4578	4586
4586	4593	4601
4601	4608	4616
4616	4623	4631
4631	4638	4646
4646	4653	4661
4661	4668	4676
4676	4683	4691
4691	4698	4706
4706	4713	4721
4721	4728	4736
4736	4743	4751
4751	4758	4766
4766	4773	4781
4781	4788	4796
4796	4803	4811
4811	4818	4826
4826	4833	4841
4841	4848	4856
4856	4863	4871
4871	4878	4886
4886	4893	4901
4901	4908	4916
4916	4923	4931
4931	4938	4946
4946	4953	4961
4961	4968	4976
4976	4983	4991
4991	4998	5006
5006	5013	5021
5021	5028	5036
5036	5043	5051
5051	5058	5066
5066	5073	5081
5081	5088	5096
5096	5103	5111
5111	5118	5126
5126	5133	5141
5141	5148	5156
5156	5163	5171
5171	5178	5186
5186	5193	5201
5201	5208	5216
5216	5223	5231
5231	5238	5246
5246	5253	5261
5261	5268	5276
5276	5283	5291
5291	5298	5306
5306	5313	5321
5321	5328	5336
5336	5343	5351
5351	5358	5366
5366	5373	5381
5381	5388	5396
5396	5403	5411
5411	5418	5426
5426	5433	5441
5441	5448	5456
5456	5463	5471
5471	5478	5486
5486	5493	5501
5501	5508	5516
5516	5523	5531
5531	5538	5546
5546	5553	5561
5561	5568	5576
5576	5583	5591
5591	5598	5606
5606	5613	5621
5621	5628	5636
5636	5643	5651
5651	5658	5666
5666	5673	5681
5681	5688	5696
5696	5703	5711
5711	5718	5726
5726	5733	5741
5741	5748	5756
5756	5763	5771
5771	5778	5786
5786	5793	5801
5801	5808	5816
5816	5823	5831
5831	5838	5846
5846	5853	5861
5861	5868	5876
5876	5883	5891
5891	5898	5906
5906	5913	5921
5921	5928	5936
5936	5943	5951
5951	5958	5966
5966	5973	5981
5981	5988	5996
5996	6003	6011
6011	6018	6026
6026	6033	6041
6041	6048	6056
6056	6063	6071
6071	6078	6086
6086	6093	6101
6101	6108	6116
6116	6123	6131
6131	6138	6146
6146	6153	6161
6161	6168	6176
6176	6183	6191
6191	6198	6206
6206	6213	6221
6221	6228	6236
6236	6243	6251
6251	6258	6266
6266	6273	6281
6281	6288	6296
6296	6303	6311
6311	6318	6326
6326	6333	6341
6341	6348	6356
6356	6363	6371
6371	6378	6386
6386	6393	6401
6401	6408	6416
6416	6423	6431
6431	6438	6446
6446	6453	6461
6461	6468	6476
6476	6483	6491
6491	6498	6506
6506	6513	6521
6521	6528	6536
6536	6543	6551
6551	6558	6566
6566	6573	6581
6581	6588	6596
6596	6603	6611
6611	6618	6626
6626	6633	6641
6641	6648	6656
6656	6663	6671
6671	6678	6686
6686	6693	6701
6701	6708	6716
6716	6723	6731
6731	6738	6746
6746	6753	6761
6761	6768	6776
6776	6783	6791
6791	6798	6806
6806	6813	6821
6821	6828	6836
6836	6843	6851
6851	6858	6866
6866	6873	6881
6881	6888	6896
6896	6903	6911
6911	6918	6926
6926	6933	6941
6941	6948	6956
6956	6963	6971
6971	6978	6986
6986	6993	7001
7001	7008	7016
7016	7023	7031
7031	7038	7046
7046	7053	7061
7061	7068	7076
7076	7083	7091
7091	7098	7106
7106	7113	7121
7121	7128	7136
7136	7143	7151
7151	7158	7166
7166	7173	7181
7181	7188	7196
7196	7203	7211
7211	7218	7226
7226	7233	7241
7241	7248	7256
7256	7263	7271
7271	7278	7286
7286	7293	7301
7301	7308	7316
7316	7323	7331
7331	7338	7346
7346	7353	7361
7361	7368	7376
7376	7383	7391
7391	7398	7406
7406	7413	7421
7421	7428	7436
7436	7443	7451
7451	7458	7466
7466	7473	7481
7481	7488	7496
7496	7503	7511
7511	7518	7526
7526	7533	7541
7541	7548	7556
7556	7563	7571
7571	7578	7586
7586	7593	7601
7601	7608	7616
7616	7623	7631
7631	7638	7646
7646	7653	7661
7661	7668	7676
7676	7683	7691
7691	7698	7706
7706	7713	7721
7721	7728	7736
7736	7743	7751
7751	7758	7766
7766	7773	7781
7781	7788	7796
7796	7803	7811
7811	7818	7826
7826	7833	7841
7841	7848	7856
7856	7863	7871
7871	7878	7886
7886	7893	7901
7901	7908	7916
7916	7923	7931
7931	7938	7946
7946	7953	7961
7961	7968	7976
7976	7983	7991
7991	7998	8006
8006	8013	8021
8021	8028	8036
8036	8043	8051
8051	8058	8066
8066	8073	8081
8081	8088	8096
8096	8103	8111
8111	8118	8126
8126	8133	8141
8141	8148	8156
8156	8163	8171
8171	8178	8186
8186	8193	8201
8201	8208	8216
8216	8223	8231
8231	8238	8246
8246	8253	8261
8261	8268	8276
8276	8283	8291
8291	8298	8306
8306	8313	8321
8321	8328	8336
8336	8343	8351
8351	8358	8366
8366	8373	8

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Conservation Police Officer I 314 3473 3724 3900 4083 4276 4276  
 Conservation Police Officer II 0000 0000 0780 3955 4139 4332 4332

## LONGEVITY BONUS RATES

Conservation Police Officer I  
 9 Yrs 10 Yrs 12.5 Yrs 14 Yrs 15 Yrs  
 4479 4695 4810 4810 4810  
 17.5 Yrs 20 Yrs 21 Yrs 22.5 Yrs 25 Yrs  
 4810 4810 4810 4810 4810  
 Conservation Police Officer II  
 9 Yrs 10 Yrs 12.5 Yrs 14 Yrs 15 Yrs  
 4534 4750 4866 4866 5096  
 17.5 Yrs 20 Yrs 21 Yrs 22.5 Yrs 25 Yrs  
 5335 5591 5646 5911 6190  
 Conservation Police Officer II

Effective July 1, 2003

## S T E P S

1 2 3 4 5 6 7  
 3447 3612 3873 4056 4246 4447 4447  
 Conservation Police Officer I  
 0000 0000 0931 4113 4305 4505 4505  
 Conservation Police Officer II

## LONGEVITY BONUS RATES

Conservation Police Officer I  
 9 Yrs 10 Yrs 12.5 Yrs 14 Yrs 15 Yrs  
 4658 4883 5002 5002 5002  
 17.5 Yrs 20 Yrs 21 Yrs 22.5 Yrs 25 Yrs  
 5002 5002 5002 5002 5002  
 Conservation Police Officer II  
 9 Yrs 10 Yrs 12.5 Yrs 14 Yrs 15 Yrs  
 4715 4940 5061 5061 5300  
 17.5 Yrs 20 Yrs 21 Yrs 22.5 Yrs 25 Yrs  
 5558 5815 5872 6147 6438  
 Conservation Police Officer II

Effective-October-17-1996

## S-T-P-P-S

1 2 3 4 5 6 7  
 2659 2789 2926 3069 3220 3377 3460  
 Conservation-Police-Officer-I  
 0800 0800 0863 3286 3356 3445 3647  
 Conservation-Police-Officer-II

## LONGEVITY-BONUS-RATES

Conservation-Police-Officer-I  
 9-Yrs 10-Yrs 14-Yrs 21-Yrs 22.5-Yrs 25-Yrs  
 17-5-Yrs 20-Yrs

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Conservation Police Officer I 3625 3802 3802 3969 4099 4306 4306 4517  
 Conservation Police Officer II 3600 3856 3856 4039 4230 4435 4491 4700 4923

## Effective-January-17-1997

Conservation-Police-Officer-I  
 9-Yrs 10-Yrs 14-Yrs 15-Yrs 17-5-Yrs 20-Yrs 21-Yrs  
 3600 3856 3856 4039 4230 4435 4491  
 Effective-January-17-1997  
 1 2 3 4 5 6 7  
 2709 2839 2976 3119 3270 3427 3510  
 Conservation-Police-Officer-I  
 0800 0800 0800 3113 3256 3406 3497 3697  
 Conservation-Police-Officer-II  
 9-Yrs 10-Yrs 14-Yrs 15-Yrs 17-5-Yrs 20-Yrs 21-Yrs  
 3625 3852 3852 3959 4149 4356 4356  
 Conservation-Police-Officer-I  
 9-Yrs 10-Yrs 14-Yrs 15-Yrs 17-5-Yrs 20-Yrs 21-Yrs  
 3625 3852 3852 3959 4149 4356 4356  
 Conservation-Police-Officer-II  
 9-Yrs 10-Yrs 14-Yrs 15-Yrs 17-5-Yrs 20-Yrs 21-Yrs  
 3736 3966 3966 4069 4260 4465 4541 4756 4973

## Effective-July-17-1994

## S-T-P-P-S

1 2 3 4 5 6 7  
 2450 2581 2710 2845 2986 3135 3213  
 Conservation-Police-Officer-I  
 0800 0800 0800 2839 2974 3115 3199 3309  
 Conservation-Police-Officer-II

## Effective-July-17-1994

Conservation-Police-Officer-I  
 9-Yrs 10-Yrs 14-Yrs 15-Yrs 17-5-Yrs 20-Yrs 21-Yrs  
 3360 3535 3535 3636 3816 4011 4011  
 Conservation-Police-Officer-II  
 9-Yrs 10-Yrs 14-Yrs 15-Yrs 17-5-Yrs 20-Yrs 21-Yrs  
 3420 3586 3586 3706 3959 4192 4192  
 Effective-October-17-1995  
 1 2 3 4 5 6 7  
 2532 2650 2791 2930 3076 3200 3309  
 Conservation-Police-Officer-I  
 0800 0800 0800 2924 3063 3200 3295 3491  
 Conservation-Police-Officer-II

## Effective-October-17-1995

## S-T-P-P-S

Conservation-Police-Officer-I  
 9-Yrs 10-Yrs 14-Yrs 15-Yrs 17-5-Yrs 20-Yrs 21-Yrs  
 3420 3586 3586 3706 3959 4192 4192  
 Effective-October-17-1995  
 1 2 3 4 5 6 7  
 2532 2650 2791 2930 3076 3200 3309  
 Conservation-Police-Officer-I  
 0800 0800 0800 2924 3063 3200 3295 3491  
 Conservation-Police-Officer-II  
 9-Yrs 10-Yrs 14-Yrs 15-Yrs 17-5-Yrs 20-Yrs 21-Yrs  
 3420 3586 3586 3706 3959 4192 4192  
 Effective-October-17-1995  
 1 2 3 4 5 6 7  
 2532 2650 2791 2930 3076 3200 3309  
 Conservation-Police-Officer-I  
 0800 0800 0800 2924 3063 3200 3295 3491  
 Conservation-Police-Officer-II



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

3469	3641	3745	4131	4131	4131	4335
Conservation-Police-Officer-II	17-5-Yrs	20-Yrs	21-Yrs	22-5-Yrs	25-Yrs	
9-Yrs	10-Yrs	14-Yrs	15-Yrs	18-Yrs	19-Yrs	
3523	3694	3871	4057	4240	4423	

Effective January 1-1996

	1	2	3	4	5	6	7
Conservation-Police-Officer-I	2502	2708	2841	2980	3126	3279	3359
Conservation-Police-Officer-II	0000	0000	2074	3113	3250	3345	3541

## LONSEVITY-BONUS-RATES

Conservation-Police-Officer-I	17-5-Yrs	20-Yrs	21-Yrs	22-5-Yrs	25-Yrs
9-Yrs	10-Yrs	14-Yrs	15-Yrs	18-Yrs	19-Yrs
3519	3691	3795	3980	4181	4385

Conservation-Police-Officer-II	17-5-Yrs	20-Yrs	21-Yrs	22-5-Yrs	25-Yrs
9-Yrs	10-Yrs	14-Yrs	15-Yrs	18-Yrs	19-Yrs
3573	3744	3921	4107	4306	4503

Effective October 1-1996

	1	2	3	4	5	6	7
Conservation-Police-Officer-I	2659	2789	2926	3069	3220	3377	3460
Conservation-Police-Officer-II	0000	0000	3063	3206	3356	3445	3647

## LONSEVITY-BONUS-RATES

Conservation-Police-Officer-I	17-5-Yrs	20-Yrs	21-Yrs	22-5-Yrs	25-Yrs
9-Yrs	10-Yrs	14-Yrs	15-Yrs	18-Yrs	19-Yrs
3625	3802	3909	4099	4306	4517

Conservation-Police-Officer-II	17-5-Yrs	20-Yrs	21-Yrs	22-5-Yrs	25-Yrs
9-Yrs	10-Yrs	14-Yrs	15-Yrs	18-Yrs	19-Yrs
3680	3856	3956	4059	4230	4431

Effective January 1-1997

	1	2	3	4	5	6	7
Conservation-Police-Officer-I	2709	2839	2976	3119	3270	3427	3510
Conservation-Police-Officer-II	0000	0000	3113	3256	3406	3495	3697

## LONSEVITY-BONUS-RATES

Conservation-Police-Officer-I	17-5-Yrs	20-Yrs	21-Yrs	22-5-Yrs	25-Yrs
9-Yrs	10-Yrs	14-Yrs	15-Yrs	18-Yrs	19-Yrs

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

3675	3852	3952	3959	4149	4356	4356	4567
Conservation-Police-Officer-II	17-5-Yrs	20-Yrs	21-Yrs	22-5-Yrs	25-Yrs		
9-Yrs	10-Yrs	14-Yrs	15-Yrs	18-Yrs	19-Yrs		
3730	3906	3906	4089	4280	4485	4541	4750

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 144.060, effective September 14, 2000)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

## Section 310, TABLE Q RC-033 (Meat Inspectors, IFPE)

Effective July 1, 2000

	1	2	3	4	5	6	7
Meat and Poultry Inspector Trainee	2159	2237	2322	2404	2490	2629	2680
Meat and Poultry Inspector	2459	2565	2669	2770	2876	3040	3100

Effective July 1, 2001

	1	2	3	4	5	6	7
Meat and Poultry Inspector Trainee	2240	2321	2409	2494	2583	2728	2781
Meat and Poultry Inspector	2640	2755	2866	2975	3089	3264	3329

Effective July 1, 2002

	1	2	3	4	5	6	7
Meat and Poultry Inspector Trainee	2324	2408	2499	2588	2680	2830	2885
Meat and Poultry Inspector	2739	2858	2973	3087	3205	3386	3454

Effective July 1, 2003

	1	2	3	4	5	6	7
Meat and Poultry Inspector Trainee	2417	2504	2599	2692	2787	2943	3000
Meat and Poultry Inspector	2849	2972	3092	3210	3333	3521	3592

Effective July 1, 1994

	1	2	3	4	5	6	7
Meat and Poultry Inspector	1776	1853	1920	1993	2063	2130	2256

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PEREMPTORY AMENDMENTS

Inspector-Trainee	2036	2112	2202	2291	2378	2469	2609
Meat-and-Poultry Inspector							

NOTE: Effective July 1, 1994, employees who have 15 years of service and have 3 or more years of creditable service on Step 7 in the same pay grade shall receive an additional \$25.00 monthly.

Effective July 1, 1995

	1	2	3	4	5	6	7
Meat-and-Poultry Inspector-Trainee	1989	1978	2053	2125	2202	2324	2378
Meat-and-Poultry Inspector	2175	2268	2368	2449	2543	2687	2741

NOTE: Effective July 1, 1995, the Step 7 longevity clause is terminated for duration of the contract.

Effective July 1, 1996

	1	2	3	4	5	6	7
Meat-and-Poultry Inspector-Trainee	1966	2037	2115	2189	2268	2394	2441
Meat-and-Poultry Inspector	2240	2336	2431	2522	2619	2768	2823

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 14.450, effective September 14, 2000)

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Pursuant to 35 Ill. Adm. Code 302-Subpart F, the following water quality criteria have been derived as listed. This listing includes only the waterbodies for which water quality criteria have been used during the period May 1, 2000 through July 31, 2000.

A cumulative listing of criteria as of July 31, 1993 was published in 17 Ill. Reg. 18904, October 29, 1993. Listings of waterbodies for which water quality criteria were used during subsequent three month periods were published in 18 Ill. Reg. 318, January 7, 1994; 18 Ill. Reg. 4457, March 18, 1994; 18 Ill. Reg. 8734, June 10, 1994; 18 Ill. Reg. 14166, September 9, 1994; 18 Ill. Reg. 17770, December 9, 1994; 19 Ill. Reg. 3563, March 17, 1995; 19 Ill. Reg. 7770, May 26, 1995; 19 Ill. Reg. 12527, September 11, 1995; 20 Ill. Reg. 649, January 5, 1996; 20 Ill. Reg. 4829, March 22, 1996; 20 Ill. Reg. 7549, May 30, 1996; 21 Ill. Reg. 12278, September 6, 1996; 20 Ill. Reg. 15619, December 6, 1996; 21 Ill. Reg. 3761, March 21, 1997; 21 Ill. Reg. 7554, June 13, 1997; 21 Ill. Reg. 12695, September 12, 1997; 21 Ill. Reg. 16193, December 12, 1997; 22 Ill. Reg. 5131, March 13, 1998; 22 Ill. Reg. 10689, June 12, 1998; 22 Ill. Reg. 16376, September 11, 1998; 22 Ill. Reg. 22423, December 28, 1998; 23 Ill. Reg. 3102, March 12, 1999; 23 Ill. Reg. 6979, June 11, 1999; 23 Ill. Reg. 11774, September 24, 1999; 23 Ill. Reg. 14772, December 27, 1999; 24 Ill. Reg. 4251, March 17, 2000; and 24 Ill. Reg. 8146, June 9, 2000.

Chemical: Acenaphthene

Acute criterion: 124 ug/l

Date criteria derived: November 14, 1991

Applicable waterbodies:

Not used during this period.

Chemical: Acetone

Acute criterion: 1,530 mg/l

Date criteria derived: May 25, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Acetonitrile

Acute criterion: 375 mg/l

Date criteria derived: December 7, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Acrylonitrile

Acute criterion: 910 ug/l

Human health criterion (HMC): 0.21 ug/l

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived: November 13, 1991

Applicable waterbodies:

Not used during this period.

Chemical: Anthracene

Human health criterion (HMC): 35 mg/l

Date criteria derived: August 18, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzene

Acute criterion: 1,300 ug/l

Human health criterion (HMC): 21 ug/l

Date criteria derived: August 15, 1990, revised January 14, 1999

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(a)anthracene

Human health criterion (HMC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(a)pyrene

Human health criterion (HMC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(b)fluoranthene

Human health criterion (HMC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(k)fluoranthene

Human health criterion (HMC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Not used during this period.

Chemical: Carbon tetrachloride

Acute criterion: 3,500 ug/l

Human health criterion (HHC): 1.4 ug/l

Date criteria derived: June 18, 1993

Applicable waterbodies:

CAS #56-23-5

Chronic criterion: 280 ug/l

Not used during this period.

Chemical: Chlorobenzene

Acute criterion: 993 ug/l

Date criteria derived: December 11, 1991

Applicable waterbodies:

CAS #108-90-7

Chronic criterion: 79 ug/l

Not used during this period.

Chemical: Chloroform

Acute criterion: 1,870 ug/l

Human health criterion (HHC): 130 ug/l

Date criteria derived: October 26, 1992

Applicable waterbodies:

CAS #67-66-3

Chronic criterion: 150 ug/l

Not used during this period.

Chemical: Chrysene

Human health criterion (HHC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

CAS #218-01-9

Not used during this period.

Chemical: 1,2-dichlorobenzene

Acute criterion: 210 ug/l

Date criteria derived: December 1, 1993

Applicable waterbodies:

CAS #95-50-1

Chronic criterion: 16.8 ug/l

Not used during this period.

Chemical: 1,3-dichlorobenzene

Acute criterion: 500 ug/l

Date criteria derived: July 31, 1991

Applicable waterbodies:

CAS #541-73-1

Chronic criterion: 196 ug/l

Not used during this period.

Chemical: 4,6-dinitro-o-cresol = 2-methyl-4,6-dinitrophenol

CAS #534-52-1

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: 1,2-dichloroethane

Acute criterion: 24,900 ug/l

Human health criterion (HHC): 23 ug/l

Date criteria derived: March 19, 1992

Applicable waterbodies:

CAS #107-06-2

Chronic criterion: 4,540 ug/l

Not used during this period.

Chemical: 1,1-dichloroethylene

Acute criterion: 3,030 ug/l

Human health criterion (HHC): 0.95 ug/l

Date criteria derived: March 20, 1992

Applicable waterbodies:

CAS #75-35-4

Chronic criterion: 242 ug/l

Not used during this period.

Chemical: 2,4-dichlorophenol

Acute criterion: 631 ug/l

Date criteria derived: November 14, 1991

Applicable waterbodies:

CAS #120-83-2

Chronic criterion: 83.1 ug/l

Not used during this period.

Chemical: 1,2-dichloropropane

Acute criterion: 4,800 ug/l

Date criteria derived: December 7, 1993

Applicable waterbodies:

CAS #78-87-5

Chronic criterion: 380 ug/l

Not used during this period.

Chemical: 1,3-dichloropropylene

Acute criterion: 99 ug/l

Date criteria derived: November 13, 1991

Applicable waterbodies:

CAS #542-75-6

Chronic criterion: 7.9 ug/l

Not used during this period.

Chemical: 2,4-dimethyl phenol

Acute criterion: 740 ug/l

Date criteria derived: October 26, 1992

Applicable waterbodies:

CAS #105-67-9

Chronic criterion: 220 ug/l

Not used during this period.

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Acute criterion: 28.8 ug/l      Chronic criterion: 2.3 ug/l  
Date criteria derived: November 14, 1991  
Applicable waterbodies:

Not used during this period.

Chemical: 2,4-dinitrophenol      CAS #51-28-5  
Acute criterion: 85.3 ug/l      Chronic criterion: 4.07 ug/l  
Date criteria derived: December 1, 1993  
Applicable waterbodies:

Not used during this period.

Chemical: 2,6-dinitrotoluene      CAS #606-20-2  
Acute criterion: 1,910 ug/l      Chronic criterion: 153 ug/l  
Date criteria derived: February 14, 1992  
Applicable waterbodies:

Not used during this period.

Chemical: Diquat      CAS #85-00-7  
Acute criterion: 1,330 ug/l      Chronic criterion: 106 ug/l  
Date criteria derived: January 30, 1996  
Applicable waterbodies:

Not used during this period.

Chemical: Ethylbenzene      CAS #100-41-4  
Acute criterion: 220 ug/l      Chronic criterion: 17 ug/l  
Date criteria derived: August 15, 1990, revised May 17, 1991  
Applicable waterbodies:

07120001-2731/off      Wiley Creek  
07120003-0005/off      Little Calumet River

Chemical: Fluoranthene      CAS #206-44-0  
Human health criterion (HHC): 120 ug/l  
Date criteria derived: August 10, 1993  
Applicable waterbodies:

Not used during this period.

Chemical: Hexachlorobenzene      CAS #118-74-1  
Human health criterion (HHC): 0.00025 ug/l  
Date criteria derived: November 15, 1991  
Applicable waterbodies:

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Not used during this period.

Chemical: Hexachlorobutadiene      CAS #87-68-3  
Acute criterion: 34.5 ug/l      Chronic criterion: 2.76 ug/l  
Date criteria derived: March 23, 1992  
Applicable waterbodies:

Not used during this period.

Chemical: Hexachloroethane      CAS #67-72-1  
Acute criterion: 381 ug/l      Chronic criterion: 30.5 ug/l  
Human health criterion (HNC): 2.9 ug/l  
Date criteria derived: November 15, 1991  
Applicable waterbodies:

Not used during this period.

Chemical: Isobutyl alcohol = 2-methyl-1-propanol      CAS #78-83-1  
Acute criterion: 434 mg/l      Chronic criterion: 34.8 mg/l  
Date criteria derived: December 1, 1993  
Applicable waterbodies:

Not used during this period.

Chemical: Methylene chloride      CAS #75-09-2  
Acute criterion: 17,200 ug/l      Chronic criterion: 1,380 ug/l  
Human health criterion (HNC): 340 ug/l  
Date criteria derived: January 21, 1992  
Applicable waterbodies:

Not used during this period.

Chemical: Methyl ethyl ketone      CAS #78-93-3  
Acute criterion: 322,000 ug/l      Chronic criterion: 26,000 ug/l  
Date criteria derived: July 1, 1992  
Applicable waterbodies:

Not used during this period.

Chemical: 4-methyl-2-pentanone      CAS #108-10-1  
Acute criterion: 46 mg/l      Chronic criterion: 3.68 mg/l  
Date criteria derived: January 13, 1992  
Applicable waterbodies:

Not used during this period.



## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: 2-methyl phenol  
 Acute criterion: 4.7 mg/l  
 Date criteria derived: November 8, 1993  
 Applicable waterbodies:

Not used during this period.

Chemical: 4-methyl phenol  
 Acute criterion: 670 mg/l  
 Date criteria derived: January 13, 1992  
 Applicable waterbodies:

Not used during this period.

Chemical: Naphthalene  
 Acute criterion: 670 ug/l  
 Date criteria derived: November 7, 1991  
 Applicable waterbodies:

Not used during this period.

Chemical: 4-nitroaniline  
 Acute criterion: 1.5 mg/l  
 Date criteria derived: May 5, 1996  
 Applicable waterbodies:

Not used during this period.

Chemical: Nitrobenzene  
 Acute criterion: 15.4 mg/l  
 Human health criterion (HTC): 0.52 mg/l  
 Date criteria derived: February 14, 1992  
 Applicable waterbodies:

Not used during this period.

Chemical: Pentachlorophenol  
 Acute criterion: 20 ug/l  
 Date criteria derived: national criterion, September 1986  
 Applicable waterbodies:

Not used during this period.

Chemical: Phenanthrene  
 Acute criterion: 46 ug/l  
 Date criteria derived: October 26, 1992

CAS #95-48-7

Chronic criterion: 0.37 mg/l

CAS #106-44-5

Chronic criterion: 120 mg/l

CAS #91-20-3

Chronic criterion: 68 ug/l

CAS #100-01-6

Chronic criterion: 0.12 mg/l

CAS #98-95-3

Chronic criterion: 4.67 mg/l

Chronic criterion: 13 ug/l

CAS #85-01-8

Chronic criterion: 3.7 ug/l

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Applicable waterbodies:

Not used during this period.

Chemical: Pyrene CAS #120-00-0

Human health criterion (HTC): 3,500 ug/l

Date criteria derived: December 22, 1992

Applicable waterbodies:

Not used during this period.

CAS #127-18-4

Chronic criterion: 152 ug/l

Chemical: Tetrachloroethylene

Acute criterion: 1,220 ug/l

Date criteria derived: March 23, 1992

Applicable waterbodies:

Not used during this period.

CAS #109-99-9

Chronic criterion: 17,300 ug/l

Chemical: Tetrahydrofuran

Acute criterion: 216,000 ug/l

Date criteria derived: March 16, 1992

Applicable waterbodies:

Not used during this period.

CAS #108-88-3

Chronic criterion: 110 ug/l

Chemical: Toluene

Acute criterion: 1,300 ug/l

Date criteria derived: August 16, 1990, revised May 17, 1991, January 26, 1993

and January 14, 1999

Applicable waterbodies:

07120001-2731/off Willey Creek

07120003-0005/off Little Calumet River

CAS #120-82-1

Chronic criterion: 69.2 ug/l

Chemical: 1,2,4-trichlorobenzene

Acute criterion: 353 ug/l

Date criteria derived: December 14, 1993

Applicable waterbodies:

Not used during this period.

CAS #71-55-6

Chronic criterion: 393 ug/l

Chemical: 1,1,1-trichloroethane

Acute criterion: 4,910 ug/l

Date criteria derived: October 26, 1992

Applicable waterbodies:

## ENVIRONMENTAL PROTECTION AGENCY

## NOTICE OF PUBLIC INFORMATION

## LISTING OF DERIVED WATER QUALITY CRITERIA

Not used during this period.

Chemical: 1,1,2-trichloroethane

Acute criterion: 19,000 ug/l

Human health criterion (HHC): 12 ug/l

Date criteria derived: December 13, 1993

Applicable waterbodies:

CAS #79-00-5

Chronic criterion: 3,540 ug/l

Not used during this period.

Chemical: Trichloroethylene

Acute criterion: 11,700 ug/l

Date criteria derived: October 23, 1992

Applicable waterbodies:

CAS #79-01-6

Chronic criterion: 940 ug/l

Not used during this period.

Chemical: Xylenes

Acute criterion: 1,500 ug/l

Date criteria derived: August 23, 1990, revised January 14, 1999

Applicable waterbodies:

CAS # 1330-20-7

Chronic criterion: 120 ug/l

07120001-2731/off Wiley Creek

07120003-0005/off Little Calumet River

For additional information concerning these criteria or the derivation process used in generating them, please contact:

Bob Mosher

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue East

Post Office Box 19276

Springfield, Illinois 62794-9276

217/782-3362

## ILLINOIS FARM DEVELOPMENT AUTHORITY

## JULY 2000 REGULATORY AGENDA

a) Part: Illinois Farm Development Authority, 8 Ill. Adm. Code 1400, Sections 1400.146 and 1400.148.

## 1) Rulemaking:

A) Description: Policy changes are being made that affect Sections 1400.146 and 1400.148.

B) Statutory Authority: 20 ILCS 3605/7

C) Scheduled meeting/hearing date: None scheduled.

D) Date agency anticipates First Notice: August 18, 2000

E) Affect on small businesses, small municipalities or not for profit corporations: The change provides the opportunity for better financial structure for farmers.

F) Agency contact person for information:

Laura A. Lanterman

Chief Financial Officer

Illinois Farm Development Authority

427 East Monroe Street, Suite 201

Springfield, Illinois 62701

217-782-5792

G) Related rulemakings and other pertinent information: None

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of September 12, 2000 through September 18, 2000 and have been scheduled for review by the Committee at its October 17, 2000 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start OF First Notice	JCAR Meeting
10/25/00	Secretary of State, Illinois Electronic Commerce Security Act (14 Ill Adm Code 100)	5/26/00	10/17/00
10/26/00	Secretary of State, Cancellation, Revocation or Suspension of Licenses or Permits (92 Ill Adm Code 1040)	24 Ill Reg 8223	10/17/00
10/26/00	Secretary of State, Procedures and Standards (92 Ill Adm Code 1001)	7/14/00	10/17/00
10/27/00	Illinois Racing Board, Claiming Races (11 Ill Adm Code 510)	24 Ill Reg 10061	10/17/00
10/28/00	Department of Central Management Services, State Employee Benefit Administration (80 Ill Adm Code 330)	6/9/00	10/17/00
10/28/00	Department of Professional Regulation, Illinois Controlled Substances Act (77 Ill Adm Code 3100)	24 Ill Reg 7936	10/17/00
10/28/00	Department of Professional Regulation, Physician Assistant Practice Act of 1987 (68 Ill Adm Code 1350)	6/16/00	10/17/00

Rules acted upon during the calendar quarter from Issue 30 through Issue 42 are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 2500 published in Issue 1 will be listed as 50-2500-1. The letter "R" designates a rule that is being repealed. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-824-4414 or [inquiries@cas.state.il.us](mailto:inquiries@cas.state.il.us) on the Internet.

## PROPOSED

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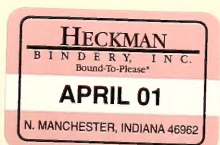
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